# reason

EPTEMBER 1972

PECIAL ISSUE

1.25

# IBERTARIAN POLITICS & ISSUES

A November alternative to Nixon and McGovern

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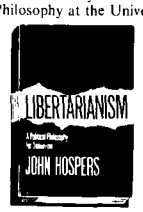


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"When a man laughs at his troubles he loses a good many friends. They never forgive the loss of their prerogative."

"Never let your inferiors do you a favor. It will be extremely costly."

"Conscience is the inner voice which warns us that someone may be looking."

But these are just teasers. Mencken is not merely a humorist, and beneath the wit there is often a very penetrating glance at reality, with no excuses made for bluntness. Ultimately, Mencken should be regarded as a profound intellect which, faced with the absurdities we see around us, and read about on the front pages of every day's newspaper, chose not to seek to reform what he saw, but to subject it to ridicule. In facing the choice, as he saw it, of either laughing or going insane, he chose to laugh, and did it better than anyone else.

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# LIBERTARIAN PARTY POLITICS AND ISSUES: an introduction

*REASON this month has expanded its format to bring our readers an insight into the new Libertarian Party and various issues of topical political significance. The national news and opinion media has all but ignored the birth and development of the Libertarian Party. Therefore, although our publishing schedule is ordinarily set months in advance of the issue date, we made a special effort to bring out this Special Issue to provide our readers with a comprehensive view of political developments and issues of interest to libertarians.*

*We lead off this Special Issue with Dr. John Hosper's speech delivered on the founding of the California Libertarian Party in May 1972. In June, Dr. Hospers attended the Libertarian Party Convention in Denver, where he was selected as the Libertarian Party's candidate for President of the United States. Hospers is professor of philosophy and director of the School of Philosophy at the University of Southern California. He has authored many books, including LIBERTARIANISM: A POLITICAL PHILOSOPHY FOR TOMORROW, the most significant work on the libertarian philosophy, and published his "Impressions of Soviet Russia, 1971" in the January 1972 issue of REASON.*

*Following Dr. Hosper's remarks, we present articles analyzing issues from medical care to national service to nonvictim crimes. Dr. Robert M. Sade's article focuses on the fallacy of the widely accepted assumption – glossed over by most of those debating the question of various health insurance plans now before Congress – that people have a guaranteed right to medical care. Dr. Sade's article originally appeared in the respected NEW ENGLAND JOURNAL OF MEDICINE, and touched off a heated controversy in the JOURNAL'S pages.*

*These days, it has become so out of fashion to attack the notion of medical care as a right, that even the American Medical Association asserts that "health care is the right of everyone." The JOURNAL's editor, Dr. Franz J. Ingelfinder, a nationally known medical researcher and educator, has stated that he disagrees completely with Dr. Sade's argument and has dismissed Sade's views as extremist, but published the article in the interest of free speech. Dr. Ingelfinder was astonished to find that Sade's article brought more requests for reprints than is known to have been received for any previous JOURNAL article in the JOURNAL'S 160-year history. Also of surprise to Ingelfinder was the volume of favorable letters generated by Sade's article. By giving further exposure to Sade's well-articulated analysis, REASON hopes that the issue whether the public has a "right" to medical care can become a part of the national debate on governmental health care plans.*

*Rounding out this issue's presentation of libertarian positions on current political issues are Professor Gil Geis' low-keyed discussion of victimless crimes, and Fred Etcheverry's article on the concept of national service, an issue which is likely to become more widely discussed as military conscription becomes less relied on as a tool for the American government's self-appointed role of international policeman. Howard Sampson's discussion of abusive and erroneous treatments of the laissez faire concept is particularly germane at this time, when the Libertarian Party is expressly espousing laissez-faire capitalism in its statement of principles. Finally, before getting to REASON's back of the issue features, we think our readers will enjoy sharing Paul Lepanto's reaction to the opening of a libertarian bookstore in New York City, entitled "An Adventure in East Village."*

# remarks on the occasion of the founding of the california libertarian party

# (20 may 1972)

JOHN HOSPERS

Last week a colleague said to me, "I didn't have enough money left after taxes to send my son to Harvard this fall, even though I get a professor's salary. And they didn't grant him a government pre-med scholarship; so he can't go. By the way," he added a moment later, "I'm voting for McGovern."

He didn't seem to see the connection between these remarks, so I said to him, "Well, it's all your own fault. Your chickens are coming home to roost."

He voted again and again for the policies that led to a crushing load of taxation. He voted not only to have himself taxed, but to have you and me taxed—as a liberal he voted for every conceivable scheme of legalized plunder. He voted to take more money out of the hands of the producers and give it (by government orders backed by guns) to the nonproducers. He voted for the colossal wastes of money which has landed our government into more than $400 billion dollars of debt. He voted for the policies which led to such inflation that our dollar is now nearly worthless (although he still complains about the increase in the cost of living), not realizing that the policies he favored made it inevitable. He voted for the policies which via government have made the poor poorer. He voted again and again to take decisions out of the hands of individual citizens and into the hands of politicians and bureaucrats. And now he will vote once again for an intensification of those very same policies.

"McGovern's aim," says TIME magazine of May 8, 1972 (p. 19), "is to give the government a far greater voice in the uses to which investment is put; more of the profits of private industry would tend to be taxed away and invested instead as Government chooses." Apparently he considers the government to be his friend and the productive people of the nation his enemy; but considering government's record in the past, can one consider it one's friend? Can one consider it anything other than something worse then one's worst human enemy? And what will he do when the producing classes have been strapped and bound, and the nation nevertheless depends on them for their daily needs? McGovern would demand more from the producers, and at the same time he would bind and gag them so that they would be less able to produce. And what would he do when the Atlases who hold up the world begin to shrug?

Albert Jay Nock, the great American libertarian, was surely right when he said that there are just two classes of people, the exploiters and the exploited. The exploited are all those who produce the world's goods—which includes of course both employers and employees, both management and labor—from whom their income is taken away by force in proportion to their success in producing it. The exploiters are the wards of government—the employees of government who spend our money in accordance with their plans or their whims, and the vast number of people—some needy and some not—on whom they choose to spend it. Civilization falls when the exploiters, often via the popular vote, become so powerful that they loot the goods produced by the exploited, or so much of it that it no longer pays the exploited to produce them.

Continuing with the TIME account, McGovern "proposed a 100% tax on all inheritances over $500,000, but backed down when blue-collar workers in Wisconsin and Massachusetts objected that taxing anybody 100% was un-American. Said a bemused McGovern: 'I don't know whether people still think they will win a lottery or what'." Apparently McGovern thought that the long chance of winning a

sweepstakes was the only reason the workers could have for opposing his measure. But the reason of course has nothing to do with sweepstakes: the true reason why one should oppose it is that it is out-and-out robbery, not to mention the fact that to the extent that employers are no longer permitted to employ, production will lessen, as will employment, as will the abundance of consumer goods. He would kill the goose that lays the golden egg—but of course, he will still demand eggs. Yes, there would be production, under government—but who can manage a business best, the man who built the business from the ground up and knows its every detail of production, or the employees of government who have produced nothing and come in like savages tearing down a complex piece of machinery, demanding only that they control it? And who has the right to run it but the man whose vision and courage and risk-taking gave it birth and made it develop?

"After all," said the great 19th-Century economist Frederic Bastiat (p. 243 of George Roche, A MAN ALONE), "I am more vitally concerned than you in not making a mistake in matters that will decide my own well-being, the happiness of my family, matters that concern you only as they touch your vanity or your systems. Advise me, but do not force your opinion on me. I shall decide at my peril and risk; that is enough, and for the law to interfere would be tyranny." But my colleague, though he talked constantly about academic freedom, had no notion whatever of economic freedom; he would willingly and gladly take a business away from those who had built it, and give it to those who would only waste it in the name of the people. He is shocked at plunder in private life, and would not dream of stealing as much as a paper clip from his neighbor; and yet he does not blink an eye at legalized plunder, performed by governments on a much vaster scale than could be performed by an single individual. He approves it so much that he is ready to vote for a candidate who will carry it out—not only on himself, but on all the rest of us, including those of us who see where it will lead and therefore oppose it. "How is legal plunder to be identified?" said Bastiat, "Quite simply. If the law takes from some persons what belongs to them and gives it to other persons to whom it does not belong, see if the law benefits one citizen at the expense of another—by doing what the citizen himself cannot do without committing a crime. Then abolish that law without delay, for otherwise it will spread and multiply."

In fascist governments, there may be private property and private employers and employees, but they are all controlled by the government; the government sets the wages, the government determines how much if any profit the employer may make, the government determines what he shall produce and how much and when, and the individuals' only task is to take orders from the controlling bureaucrats. That is the kind of society which those who vote for McGovern will get if he wins. If they put him in, we can only say, "Brother, you asked for it!" The tragedy is that if it happens these voters will not only destroy themselves but will destroy the rest of us along with them, all being sucked into the same fatal whirlpool together.

It is in these circumstances, that we attend the founding of a libertarian party. The need for it is surely obvious. The stakes are the life of a civilization. At the moment our numbers are small—just as McGovern's were half a century ago. But we may take some confidence even from this fact: perhaps if we can get through to a great many people, enough of them will see the handwriting on the wall to avert catastrophe.

To whom shall we turn? For the most part, we cannot turn to the liberals. They have long since sold their birthright for government control of our lives. Their answer to the social problems of the day, from problems of the poor to problems of school busing, is to turn with monotonous regularity to government programs and government legislation. Their policies have already sent this nation into such enormous debt that every man, woman, and child in America carries on his back a load of federal debt in excess of two thousand dollars, not to mention the debts incurred by state and local governments. And none of the problems for which these huge government programs were instituted have been solved; indeed they are more virulent than ever, not in spite of but precisely because of these very same federal programs that have drained us dry, supposedly for our own benefit. (See my book LIBERTARIANISM, Chapters 4-7). And yet the liberals have nothing new to offer but a continuation and an increase of these very same bankrupt policies.

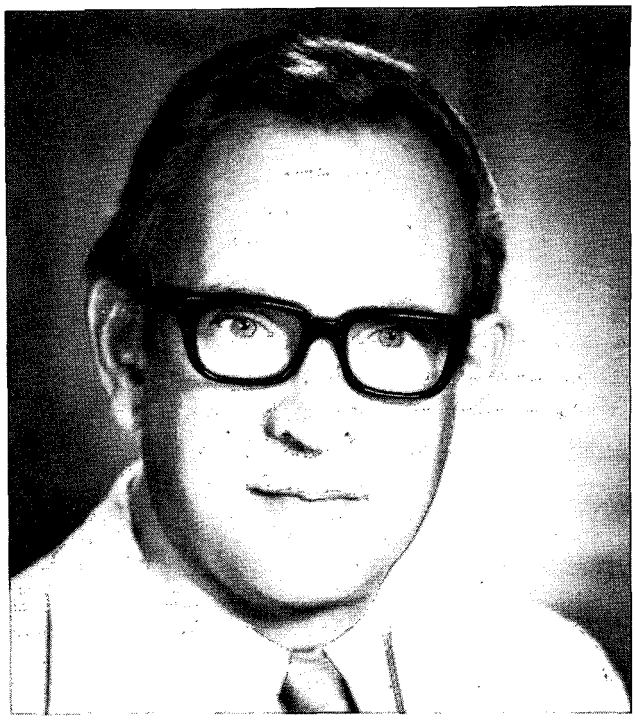
Shall we turn then to the conservatives? In some respects they are better, more salvageable; they are at least skeptical of Big Government, and recognize its foolishness and its apologists' state of intellectual bankruptcy. Moreover, unlike the liberals, they see the gravity of our fiscal policy, of continuous deficit spending and inflation. But the fundamental principle of libertarianism is that each man shall be master of his own life, and that no other man has the right to dictate by force the actions of another—and the conservatives have been somewhat vacillating with regard to this fundamental principle. Some of them, though not all, would still achieve political power over our lives, against our will and for our own good; some of them want censorship of ideas, others want censorship of pornography; many of them approve the draft and favor numerous international adventures which the draft makes possible; many of them approve compulsory prayers in public

schools—and almost all of them approve of the public institution. They want individualism and liberty on the whole, but they still want to pick and choose exceptions and qualifications. But if one person can use the vast coercive power of the law to force one policy on us, by what principle shall another be prevented from forcing a different one? The conservatives are caught in this dilemma, from which there is no escape.

Most people, unhappy with both alternatives, are deeply discouraged, and yet they are not even aware that there is any other possibility. Once they do become aware of it, many of them will surely come to see that it is the only acceptable one. But the task of instruction, communication, and persuasion will be enormous. Libertarianism is still in its birth-pangs and its potential is staggering; but it is we who must now make this possibility turn into actuality.

Whom shall we enlist for this purpose? It would be pleasant to think that we could count on the intellectuals, the leaders in our colleges and universities who are shaping the thought of the next generation. But to count on them heavily would be to indulge in wishful thinking. There are some intellectuals who will give us their full support at once, and others who will do so once they know what we stand for. But the vast majority of intellectuals at present are much more inclined toward the liberal camp, and many of them are outright socialists. This may at first seem puzzling: some of it can be explained by humanitarian motives (however misplaced in their application); some of it by just plain ignorance of economics and the psychology of political power; and some of it by simple habit: most of them grew up during the New Deal and have come to take its tenets as unquestioned assumptions. But the principle ingredient in the total explanation, it seems to me, lies elsewhere: the professors have been bribed for too long by government aid; they want to continue their research, and government is by now the principle source of their grants; they fall over each other to get them, even when they knew the subject of the research is unfruitful, trivial, or worthless. They don't at all mind if every taxpayer in the land is forced to pay for these grants, as long as the income continues. In short, the intellectuals have become the camp-followers of power. On the whole they are too timid, or too snug in their ivory towers, to wish to assume political power themsleves, but they will gladly sell their birthright of liberty in return for cash, and will vote the politicians into power as long as the money keeps flowing their way. Already they are fawning on McGovern in the hope that under his leadership they will have their "place in the sun"—never mind who else goes under in the process, or whether the economy grinds to a halt. And McGovern himself is wooing their allegiance, using the Vietnam issue as bait.

In ATLAS SHRUGGED, when the statists are about to take over the U.S. economy, one of their leaders, Wesley Mouch, says:



**John Hospers, Libertarian Party Presidential Candidate**

> "Still, I'm worried, the intellectuals are our friends. We don't want to lose them. They can make an awful lot of trouble,"
>
> "They won't," said Fred Kinnan. "Your kind of intellectuals are the first to scream when it's safe—and the first to shut their traps at the first sign of danger. They spend years spitting at the man who feeds them—and they lick the hand of the man who slaps their drooling faces. Didn't they deliver every country of Europe, one after another, to committees of goons, just like this one here? Didn't they scream their heads off to shut out every burglar alarm and to break every padlock open for the goons? Have you heard a peep out of them since? Didn't they scream that they were the friends of labor? Do you hear them raising their voices about the chain gangs, the slave camps, the fourteen-hour workday and the mortality from scurvy in the People's States of Europe? No, but you do hear them telling the whip-beaten wretches that starvation is prosperity, that slavery is freedom, that torture chambers are brother-love and that if the wretches don't understand it, then it's their own fault that they suffer, and it's the mangled corpses in the jail cellars who're to blame for all their troubles, not the benevolent leaders! Intellectuals? You might have to worry about any other breed of men, but not about the modern intellectuals: they'll swallow anything. I don't feel so safe about the lousiest wharf rat in the longshoremen's union: he's liable to remember suddenly that he is a man—and then I won't be able to keep him in line. But the intellectuals? That's the one thing they've forgotten long ago. I

guess it's the one thing that all their education was aimed to make them forget. Do anything you please to the intellectuals. They'll take it."

. . . "For once," said Dr. Ferris, "I agree with Dr. Kinnan. I agree with his facts, if not with his feelings. You don't have to worry about the intellectuals, Wesley. Just put a few of them on the government payroll and send them out to preach precisely the sort of thing Mr. Kinnan mentioned: that the blame rests on the victims. Give them moderately comfortable salaries and extremely loud titles—and they'll do a better job for you than whole squads of enforcement officers." (Ayn Rand, ATLAS SHRUGGED, pp. 546-47)

I would certainly not wish to saddle the above description on all intellectuals, but as a general characterization, I submit that the description hits the mark with painful accuracy.

Who, then, will be enlisted in the ranks of libertarians? One obvious group is business men—at least those who have not sold their souls for government contracts. These are the people who know first-hand (unlike the academicians)—what skill and dedication it takes to start an enterprise and keep it going, when one wrong decision could put a quick end to years of planning, effort, and investment. They are the self-made men whose enterprises the academicians would like to collectivize and whose incomes they propose to loot in order to realize their utopian dreams. These men, whose traditional home has been the Republican Party, have now been betrayed by it, and today they have no political home at all. They would be "a natural" for the Libertarian Party. Most of them are too busy providing goods and services for the nation to read widely in political, economic, or philosophical matters, and as a result, they have been comparatively inarticulate. But, if we help to give them a voice, there is no doubt that they will be on our side; in fact, they will say, when they hear our program, "What you're saying is what we knew all the time"—and of course they will be right.

Any person of reasonable intelligence and a working knowledge of the economic facts-of-life could easily be led to join our ranks. It was just a few years ago that in a national poll, the farmers of the United States indicated their preference for total abolition of government controls over agriculture—even when this meant no more government subsidies for growing grain (or for not growing it). This fierce pride and independence, which characterized most Americans and virtually all farmers a generation ago, has faded somewhat with years of government interference with the intricate machinery of production—but these valuable qualities, and the political convictions that go with them are not beyond resuscitation.

Much the same, I suspect, is true of the labor force in general—except that in this case, there is much more convincing to be done, for labor has been subjected to an incessant barrage of propaganda for the last forty years: they have been told that their employer is their enemy, that their employer is getting fat with enormous profits, and that it is their sacred duty to make him bite the dust—never realizing, for the most part, that profits are the reward conferred by the consumer for efficient production; that profits are also the best guarantee of high wages and continue employment; that when the employer is thrown out, the government will step in; and that government, with its power of the gun over their lives, is a far worse enemy than even the worst employer had ever been.

In fact, any laborer who knows the value of work, and what it takes to accomplish production in a technological society, is probably salvageable for libertarianism. Whether one works with his hands or his head, whether in the soil or in a factory, certain facts about what it takes to achieve a nation's prosperity are inescapable if one thinks at all. This, for example, is why farmers are as a rule more intelligent voters than academicians: the farmers know that when it comes to matters of survivial, one can't go by one's whims or fake reality: that one must be free in order to produce, that production requires planning and effort and doesn't come automatically, that one can sustain oneself and one's family but not carry the burden for entire classes and nations of other people, and that if parasitism is rewarded (as it is by government), then production will falter and finally cease. The nearer to nature and the land one is, the more indelibly these lessons of reality are daily impressed upon one's mind? that is why (in my opinion, at least), the farm vote, if not utterly corrupted by what is euphemistically called education, is a more intelligent vote than that of academicians, whose contact with reality is often, (to put it mildly), at several light-years removed.

People with the capacity for clear thought, who do not have mountains of accumulated garbage in their minds to unlearn (or who are able and willing to unlearn it), are all, it seems to me, potential libertarians. And this, surely adds up to millions of people in this country alone. So the reservoir to be tapped is enormous—the possibilities are so great as to be almost incalculable. But the hour is very late, and the harm to be undone boggles the imagination.

What shall we do if our efforts fail, and year follows year and the present madness continues unchecked? Then, I suggest, it will be time for Hank Rearden to go on strike. ◻

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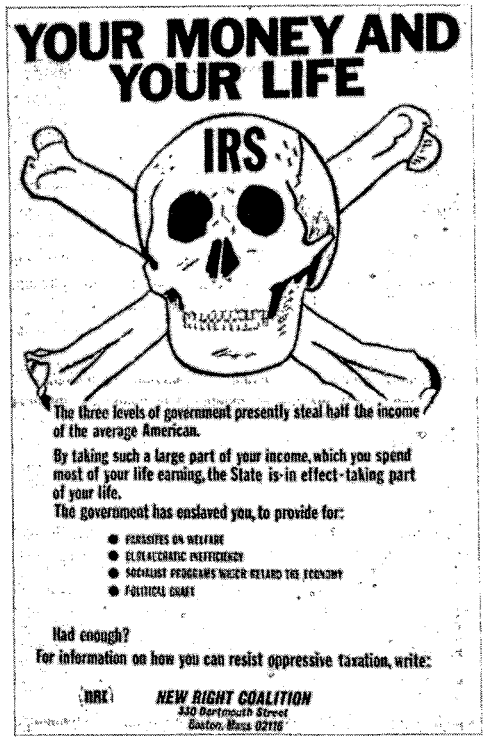
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# medical care as a right: a refutation

ROBERT M SADE MD

The current debate on health care in the United States is of the first order of importance to the health professions, and of no less importance to the political future of the nation, for precedents are now being set that will be applied to the rest of American society in the future. In the enormous volume of verbiage that has poured forth, certain fundamental issues have been so often misrepresented that they have now become commonly accepted fallacies. This paper will be concerned with the most important of these misconceptions, that health care is a right, as well as a brief consideration of some of its corollary fallacies.

## RIGHTS—MORALITY AND POLITICS

The concept of rights has its roots in the moral nature of man and its practical expression in the political system that he creates. Both morality and politics must be discussed before the relation between political rights and health care can be appreciated.

A "right" defines a freedom of action. For instance, a right to a material object is the uncoerced choice of the use to which that object will be put; a right to a specific action, such as free speech, is the freedom to engage in that activity without forceful repression. The moral foundation of the rights of man begins with the fact that he is a living creature: he has the right to his own life. All other rights are corollaries of this primary one; without the right to life, there can be no others, and the concept of rights itself becomes meaningless.

The freedom to live, however, does not automatically ensure life. For man, a specific course of action is required to sustain his life, a course of action that must be guided by reason and reality and has as its goal the creation or acquisition of material values, such as food and clothing, and intellectual values, such as self-esteem and integrity. His moral system is the means by which he is able to select the values that will support his life and achieve his happiness.

Man must maintain a rather delicate homeostasis in a highly demanding and threatening environment, but has at his disposal a unique and efficient mechanism for dealing with it: his mind. His mind is able to perceive, to identify percepts, to integrate them into concepts, and to use those concepts in choosing actions suitable to the maintenance of his life. The rational function of mind is volitional, however; a man must *choose* to think, to be aware, to evaluate, to make conscious decisions. The extent to which he is able to achieve his goals will be directly proportional to his commitment to reason in seeking them.

The right to life implies three corollaries: the right to select the values that one deems necessary to sustain one's own life; the right to exercise one's own judgment of the best course of action to achieve the chosen values; and the right to dispose of those values, once gained, in any way one chooses, without coercion by other men. The denial of any one of these corollaries severely compromises or destroys the right to life itself. A man who is not allowed to

choose his own goals, is prevented from setting his own course in achieving those goals and is not free to dispose of the values he has earned is no less than a slave to those who usurp those rights. The right to private property, therefore, is essential and indispensable to maintaining free men in a free society.

Thus, it is the nature of man as a living, thinking being that determines his rights—his "natural rights." The concept of natural rights was slow in dawning on human civilization. The first political expression of that concept had its beginnings in 17th and 18th century England through such exponents as John Locke and Edmund Burke, but came to its brilliant debut as a form of government after the American Revolution. Under the leadership of such men as Thomas Paine and Thomas Jefferson, the concept of man as a being sovereign unto himself, rather than a subdivision of the sovereignty of a king, emperor or state, was incorporated into the formal structure of government for the first time. Protection of the lives and property of individual citizens was the salient characteristic of the Constitution of 1787. Ayn Rand has pointed out that the principle of protection of the individual against the coercive force of government made the United States the first moral society in history.[1]

In a free society, man exercises his right to sustain his own life by producing economic values in the form of goods and services that he is, or should be, free to exchange with other men who are similarly free to trade with him or not. The economic values produced, however, are not given as gifts by nature, but exist only by virtue of the thought and effort of individual men. Goods and services are thus owned as a consequence of the right to sustain life by one's own physical and mental effort.

If the chain of natural rights is interrupted, and the right to a loaf of bread, for example, is proclaimed as primary (avoiding the necessity of earning it), every man owns a loaf of bread, regardless of who produced it. Since ownership is the power of disposal,[2] every man may take his loaf from the baker and dispose of it as he wishes with or without the baker's permission. Another element has thus been introduced into the relation between men: the use of force. It is crucial to observe who has initiated the use of force: it is the man who demands unearned bread as a right, not the man who produced it. At the level of an unstructured society it is clear who is moral and who immoral. The man who acted rationally by producing food to support his own life is moral. The man who expropriated the bread by force is immoral.

To protect his basic right to provide for the support of one's own life, men band together for their mutual protection and form governments. This is the only proper function of government: to provide for the defense of individuals against those who would take their lives or property by force. The state is the repository for retaliatory force in a just society wherein the only actions prohibited to individuals are those of physical harm or the threat of physical harm to other men. The closest that man has ever come to achieving this ideal of government was in this country after its War of Independence.

When a government ignores the progression of natural rights arising from the right to life, and agrees with a man, a group of men, or even a majority of its citizens, that every man has a right to a loaf of bread, it must protect that right by the passage of laws ensuring that everyone gets his loaf—in the process depriving the baker of the freedom to dispose of his own product. If the baker disobeys the law, asserting the priority of his right to support himself by his own rational disposition of the fruits of his mental and physical labor, he will be taken to court by force or threat of force where he will have more property forcibly taken from him (by fine) or have his liberty taken away (by incarceration). Now the initiator of violence is the government itself. The degree to which a government exercises its monopoly on the retaliatory use of force by asserting a claim to the lives and property of its citizens is the degree to which it has eroded its own legitimacy. It is a frequently overlooked fact that behind every law is a policeman's gun or a soldier's bayonet. When that gun and bayonet are used to initiate violence, to take property or to restrict liberty by force, there are no longer any rights, for the lives of the citizens belong to the state. In a just society with a moral government, it is clear that the only "right" to the bread belongs to the baker, and that a claim by any other man to that right is unjustified and can be enforced only by violence or the threat of violence.

*"The concept of medical care as the patient's right is immoral."*

## RIGHTS—POLITICS AND MEDICINE

The concept of medical care as the patient's right is immoral because it denies the most fundamental of all rights, that of a man to his own life and the freedom of action to support it. Medical care is neither a right nor a privilege: it is a service that is provided by doctors and others to people who wish to purchase it. It is the provision of this service that a doctor depends upon for his livelihood, and is his means of supporting his own life. If the right to health care belongs to the patient, he starts out owning the services of a doctor without the necessity of either earning them or receiving them as a gift from the only man who has the right to give them: the doctor himself. In the narrative above substitute "doctor" for "baker" and "medical service" for "bread." American medicine is now at the point in the story where the state has proclaimed the nonexistent "right" to medical care as a fact of public policy, and has begun to pass the laws to enforce it. The doctor finds himself less and less his own master and more and more controlled by forces outside of his own judgment.

For instance, under the proposed Kennedy—Griffiths bill[3] there will be a "Health Security Board," which will be responsible for administering the new controls to be imposed on doctors, hospitals and other "providers" of health care (Sec. 121). Specialized services, such as major surgery, will be done by "qualified specialists" [Sec. 22(b)(2)], such qualifications being determined by the Board (Sec. 42). Furthermore, the patient can no longer exercise his own initiative in finding a specialist to do his operation, since he must be referred to the specialist by a nonspecialist—i.e., a general practitioner or family doctor [Sec. 22(b)]. Licensure by his own state will not be enough to be a qualified practitioner; physicians will also be subject to a second set of standards, those established by the Board [Sec. 42(a)]. Doctors will no longer be considered competent to determine their own needs for continuing education, but must meet requirements established by the Board [Sec. 42(c)]. The professional staff of a hospital will no longer be able to determine which of its members are qualified to perform which kinds of major surgery; specialty-board certification or eligibility will be required, with certain exceptions that include meeting standards established by the Board [Sec. 42(d)].

Control of doctors through control of the hospitals in which they practice will also be exercised by the Board by way of a list of requirements, the last of which is a "sleeper" that will by its vagueness allow the Board almost any regulation of the hospital: the hospital must meet "such other requirements as the Board finds necessary in the interest of quality of care and the safety of patients in the institution" [Sec. 43(i)]. Hospitals will also not be allowed to undertake construction without higher approval by a state agency or by the Board (Sec. 52).

In the name of better organization and co-ordination of services, hospitals, nursing homes and other providers will be further controlled through the Board's power to issue directives forcing the provider to furnish services selected by the Board [Sec. 131(a)(1),(2)] at a place selected by the Board [Sec. 131(a)(3)]. The Board can also direct these providers to form associations with one another of various sorts, including "making available to one provider the professional and technical skills of another" [Sec. 131(a)(B)], and such other linkages as the Board thinks best [Sec. 131(a)(4)(C)].

These are only a few of the bill's controls of the health-care industry. It is difficult to believe that such patent subjugation of an entire profession could ever be considered a fit topic for discussion in any but the darkest corner of a country founded on the principles of life and liberty. Yet the Kennedy—Griffiths bill is being seriously debated today in the Congress of the United States.

The irony of this bill is that, on the basis of the philosophic premises of its authors, it does provide a rationally organized system for attempting to fulfill its goals, such as "making health services available to all residents of the United States." If the government is to spend tens of billions of dollars on health services, it must assure in some way that the money is not being wasted. Every bill currently before the national legislature does, should, and must provide some such controls. The Kennedy-Griffiths bill is the closest we have yet come to the logical conclusion and inevitable consequence of two fundamental fallacies: that health care is a right, and that doctors and other health workers will function as efficiently serving as chattels of the state as they will living as sovereign human beings. It is not, and they will not.

Any act of force is anti-mind. It is a confession of the failure of persuasion, the failure of reason. When politicians say that the health system must be forced into a mold of their own design, they are admitting their inability to persuade doctors and patients to use the plan voluntarily; they are proclaiming the supremacy of the state's logic over the judgments of the individual minds of all concerned with health care. Statists throughout history have never learned that comppulsion and reason are contradictory, that a forced mind cannot think effectively and, by extension, that a regimented profession will eventually choke and stagnate from its own lack of freedom. A persuasive example of this is the moribund condition of medicine as a profession in Sweden, a country that has enjoyed socialized medicine since 1955. Werko, a Swedish physician, has stated: "The details and the complicated working schedule have not yet been determined in all hospitals and districts, but the general feeling of belonging to a free profession, free to decide—at least in principle—how to organize its work has been lost. Many hospital-based physicians regard their work now with an apathy previously unknown."[4] One wonders how American legislators will like having their myocardial infractions treated by apethetic internists, their mitral valves replaced by apathetic surgeons, their wives' tumors removed by apathetic gynecologists. They will find it very difficult to legislate self-esteem, integrity and competence into the doctors whose minds and judgments they have throttled.

If anyone doubts that health legislation involves the use of force, a dramatic demonstration of the practical political meaning of the "right to health care" was acted out in Quebec in the closing months of 1970.[5] In that unprecedented threat of violence by a modern Western government against a group of its citizens, the doctors of Quebec were literally imprisoned in the province by Bill 41, possibly the most repressive piece of legislation ever enacted against the medical profession, and far more worthy of the Soviet Union or Red China than a western democracy. Doctors objecting to a new Medicare law were forced to continue working under penalty of jail sentence and fines of up to $500 a day away from their practices. Those who spoke out publicly against the bill were subject to jail sentences of up to a year and fines of up to $50,000 a day. The facts that the doctors did return to work and that no one was therefore jailed or fined do not mitigate the nature or implications of the passage of Bill 41. Although the dispute between the Quebec physicians and their government was not one of principle but of the details of compensation, the reaction of the state to resistance against coercive professional regulation was a classic example of the naked force that lies behind every act of social legislation.

Any doctor who is forced by law to join a group or a hospital he does not choose, or is prevented by law from prescribing a drug he thinks is best for his patient, or is compelled by law to make any decision he would not otherwise have made, is being forced to act against his own mind, which means forced to act against his own life. He is also being forced to violate his most fundamental professional committment, that of using his own best judgement at all times for the greatest benefit of his patient. It is remarkable that this principle has never been identified by a public voice in the medical profession, and that the vast majority of doctors in this country are being led down the path to civil servitude, never knowing that their feelings of uneasy foreboding have a profoundly moral origin, and never recognizing that the main issues at stake are not those being formulated in Washington, but are their own honor, integrity and freedom, and their own survival as sovereign human beings.

## SOME COROLLARIES

The basic fallacy that health care is a right has led to several corollary fallacies, among them the following:

*That health is primarily a community or social rather than an individual concern.[6]* A simple calculation from American mortality statistics[7] quickly corrects that false concept: 67 per cent of deaths in 1967 were due to diseases known to be caused or exacerbated by alcohol, tobacco smoking or overeating, or were due to accidents. Each of those factors is either largely or wholly correctable by individual action. Although no statistics are available, it is likely that morbidity, with the exception of common respiratory infections, has a relation like that of mortality to personal habits and excesses.

*That state medicine has worked better in other countries than free enterprise has worked here.* There is no evidence to support that contention, other than anecdotal testimonials and the spurious citation of infant mortality and longevity statistics. There is, on the other hand, a good deal of evidence to the contrary.[8]

*That the provision of medical care somehow lies outside the laws of supply and demand, and that government-controlled health care will be free care.* In fact, no service or commodity lies outside the economic laws. Regarding health care, market demand, individual want, and medical need are entirely different things, and have a very complex relation with the cost and the total supply of available care, as recently discussed and clarified by Jeffers et al.[9] They point out that " 'health is purchaseable', meaning that somebody has to pay for it, individually or collectively, at the expense of foregoing the current or future consumption of other things." The question is whether the decision of how to allocate the consumer's dollar should belong to the consumer or to the state. It has already been shown that the choice of how a doctor's services should be rendered belongs only to the doctor: in the same way the choice of whether to buy a doctor's service rather than some other commodity or service belongs to the consumer as a logical consequence of the right to his own life.

*That opposition to national health legislation is tantamount to opposition to progress in health care.* Progress is made by the free interaction of free minds developing new ideas in an atmosphere conducive to experimentation and trial. If group practice really is better than solo, we will find out because the success of groups will result in more groups (which has, in fact, been happening); if prepaid comprehensive care really is the best form of practice, it will succeed and the health industry will swell with new Kaiser-Permanente plans. But let one of these or any other form of practice become the law, and the system is in a straitjacket that will stifle progress. Progress requires freedom of action, and that is precisely what national health legislation aims at restricting.

*That doctors should help design the legislation for a national health system, since they must live with and within whatever legislation is enacted.* To accept this concept is to concede to the opposition its philosophic premises, and thus to lose the battle. The means by which nonproducers and hangers-on throughout history have been able to expropriate material and intellectual values from the producers has been identified only relatively recently: the sanction of the victim.[10] Historically, few people have lost their freedom and their rights without some degree of complicity in the plunder. If the American medical profession accepts the concept of health care as the right of the patient, it will have earned the Kennedy-Griffiths bill by default. The alternative for any health professional is to withhold his sanction and make clear who is being victimized. Any physician can say to those who would shackle his judgment and control his profession: I do not recognize your right to my life and my mind, which belong to me and me alone; I will not participate in any legislated solution to any health problem.

In the face of the raw power that lies behind government programs, nonparticipation is the only way in which personal values can be maintained. And it is only with the attainment of the highest of those values—integrity, honesty and self-esteem—that the physician can achieve his most important professional value, the absolute priority of the welfare of his patients.

The preceding discussion should not be interpreted as proposing that there are no problems in the delivery of medical care. Problems such as high cost, few doctors, low quantity of available care in economically depressed areas may be real, but it is naive to believe that governmental solutions through coercive legislation can be anything but shortsighted and formulated on the basis of political expediency. The only long-range plan that can hope to provide for the day after tomorrow is a "nonsystem"—that is, a system that proscribes the imposition by force (legislation) of any one group's conception of the best forms of medical care. We must identify our problems and seek to solve them by experimentation and trial in an atmosphere of freedom from compulsion. Our sanction of anything less will mean the loss of our personal values, the death of our profession, and a heavy blow to political liberty. ◻

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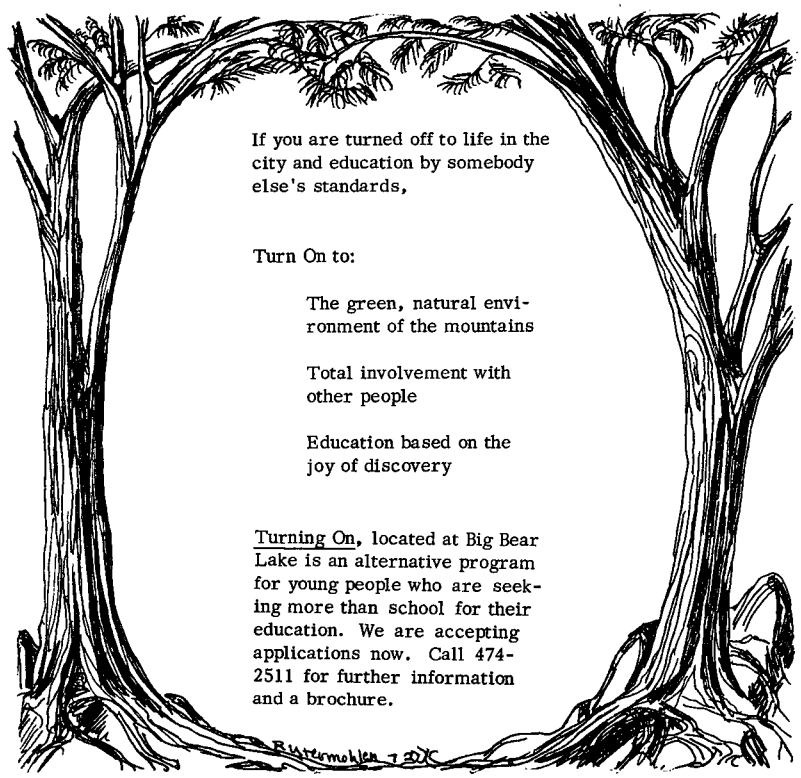
## THE WISH MADE FIAT

*The enormous self-righteousness and pose*
*Of the lawgivers whose proposition*
*Would distribute among all the people*
*Equally the weight of reality,*
*Seeing it as a burden to be shared;*
*Domesticate the individual.*
*Say need is right. Make a luxury*
*Of pity, a virtue so commonplace*
*Its alchemy will seem an absolute.*
*Faith in the collective wish made fiat*
*Might alter even all causality.*

**Robert Greenwood**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# crimes——— but no victims

## GILBERT GEIS

A teen-ager puffs on a marihuana cigarette as he sits in a theater balcony, quietly watching the make-believe on the screen . . . . Two homosexuals, both in their thirties, meet in a "gay" bar and then by common consent engage in an act of oral copulation in the apartment of one of them . . . . A woman with two children, two month's pregnant, slips into the house of an abortionist in order to get rid of an unwanted fetus . . . . A slum deliveryman takes a few moments to enter a tobacco store, indicate the number he favors that day, and puts a fifty cent bet on it . . . .

All of these persons are criminals, though they have committed crimes without victims. Neither homosexual is apt to complain to the authorites, the marihuana smoker is without pain, both the abortionist and his client have voluntarily chosen to do what they are doing, and the man placing his bet on the numbers hopes only that this will be his lucky day.

Why then, given the voluntary and consensual nature of these acts, does the criminal code, which has quite enough to keep it busy, attend to them?

The answer is far from simple. To some extent, though probably a limited one, various crimes without victims are outlawed in the sincere belief that American society will no longer be "safe" if homosexuals, abortionists, marihuana smokers, and numbers players are allowed to go their way unmolested. Such a view is, at very best, arguable. Population experts, for example, indicate in deep Cassandra tones that the gravest threats to life in the United States and, indeed, in the world, is overpopulation, and it may be that the act of abortion or the spread of homosexuality, for example, contribute more toward the possible alleviation of our potential ills than their elimination.

To some extent, crimes without victims are outlawed because of a benevolent interest in protecting an individual "from himself." The difficulties here are acute. For one thing, in a democracy, freedom of an individual to determine what is best for himself, as long as he does not interfere with a similar freedom of others, is a prime ingredient. For another, it is dubious that the force of the criminal law upon marihuana smokers, abortion-seeking women, homosexuals, and numbers players adds to the sum of their happiness and makes them better persons. Stanley Yelles, a leading figure in the National Institute of Mental Health, recently told a Senate subcommittee that he thought the legal consequences visited upon youths smoking marihuana were considerably more devastating than the consequences of smoking marihuana. He seems quite correct.

In addition, of course, very little concern is shown about protecting persons from predilections which appear to be considerably more dangerous to their well-being than things such as marihuana or homo-

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sexuality. The odds for self-destruction are much higher for each race driver lined up at the starting gate in Riverside during the season than for any protagonist in a victimless crime. So too the dangers of overeating appear much more self-evident than those of marihuana use. Yet we have no S.S. troops (for Supermarket Surveillance), no crimes of first- and second-degree obesity, no blockade at the border against Israeli halvah, Italian spaghetti, and Swiss chocolate, no civil commitment program directed at providing group therapy to deal with the oral fixation of the chronically self-destructive overweight person.

There is, perhaps, the issue of general deterrence. Failure to punish a homosexual, it may be argued, will encourage untold numbers of other Libidinal fence-sitters to flop over onto the same-sex playing field. Such a view has within it the implicit assumption that homosexuality is a more attractive route than heterosexuality, and that only the criminal law is preventing a veritable orgy of gay living, a puzzling, but clinically interesting, assessment of things. This view also fails to appreciate that outlawing a behavior adds an element to it that often is determinant in eliciting the behavior. Homosexuality, Oscar Wilde gloated, was like "feating with panthers," because one never knew what consequences the risk would bring. So, too, marihuana use undoubtedly is greatly increased by the predictable yelps of outrage that it produces.

Besides, even if the criminal law did deter untold numbers of persons from participating in victimless crimes, all the original objections to using the law against behavior producing no clear-cut social harm and no deprivation of the property or injury to the person of a victim remain in force.

There are other sources for continuing sanctions against crimes without victims. One is pure inertia, a second is the nature of our political system, a third is the hold of the theological orthodoxy. Then, of course, there is self-righteousness, that powerful force that compels the good and decent among us to insist that their standards be followed by the aberrant . . . or else.

Let's look at self-righteousness for a moment. All of us, I imagine, like a certain reassurance that the commitments we have made, the lives we are leading, are fine ones. Unfortunately, God is notoriously casual and capricious in his seeming manifestation or high regard for the goodly – indeed, sometimes the wicked seem to thrive disproportionately. Lacking divine reassurance, we try to create our own heavenly scorecard, by seeing to it that alien ways result in hurt and deprivation being visited upon those who follow them.

The best illustration of this theme that I know comes from a barrage of letters I once had the opportunity to read. They were produced by an ugly situation in which a mentally defective Indian girl in a rural Oklahoma town, given the care of a nephew while his parents were away, decided that the child had been invaded by evil spirits. To ward these off, she held the child against a hot stove, inflicting serious burns over a large part of its body. Then, convinced that the genitals were somehow responsible for his badness, she tied a string around his penis, causing an infection that ultimately turned into gangrene. The child lingered for weeks in a hospital, while the newspapers made the most of the story, until the child died.

The Indian girl was illiterate, so it was pointless to write to her, but nonetheless hundreds of persons throughout the country did so. The district attorney allowed me to read the letters. They represented the vilest and most indecent stream of vituperations that I have ever seen. Invariably they entered with exquisite detail into the inventive kinds of tortures the writers would like to inflict on the girl as retribution for her deed. Invariably, the writers, mostly women, included panegryrics about themselves as mothers and wives, indicating their tender and comforting love for their children.

The letter writers were a nasty crew, and I have always regarded them as epitomizing the vulgarity and viciousness of the self-righteous, masking their fright and their own contradictory impulses in an outburst of hatred and vengeance.

It would be unforgivably unfair to suggest that so intense and ferocious a feeling underlies very much of the support of prosecution of crimes without victims, or that proponents of such laws are wild-eyed sadists. The truth is undoubtedly a much milder thing. There

is amongst us all a considerable reluctance to see change and its resultant uncertainty, especially amongst those of us with power, who know what they now have and are uneasy about what they might otherwise end up with. So they try to hold the line. There is also a reluctance to become overly indentified with minority causes, particularly causes such as homosexuality, because a suspicion of personal involvement inevitably arises. There are few friends to be made, and these of little social force and strength, while powerful enemies can be aroused.

But what are the consequences of continuing to label as criminal a number of acts which involve no real victims and produce no clearly discernible social harm—or certainly no social harm equivalent to the abuse of traditional American principles of fairness and justice involved in their enunciation and enforcement? It seems obvious that to the extent that a society thrusts from its core non-conformists who see no sense in what is being done to them and then takes punitive measures to repress them, to that extent will it create a resistant force in its midst. Obviously, the repressive measures will have a certain success, particularly with the weaker elements of the deviating group. But those with some strength will, of necessity, grow stronger, needing the added vitality to survive persecution. In addition, of course, by its counteracting measures the major society will come to label and to define elements of itself as different and undesirable—and such elements will so define themselves and the path of return to the mainstream will for them become irrevocably foreclosed.

I think that the best method for dealing with acts we find personally offensive, but otherwise relatively harmless, is to ignore them. Such a response may be predicated on the assumption that there exists in our society a core of values and commitments which are inherently attractive and which exert enough of an appeal to win over those we find behaviorally resistant, providing they have not been shut off so completely that it is no longer possible for them to participate in a common endeavor.

Besides, there is always the considerable possibility that our present policies may be based on politcally, morally, and factually wrong ideas. It is understandable and forgivable to hold biased views, but vicious to insist that on the basis of such views others should suffer cruelly. ◻


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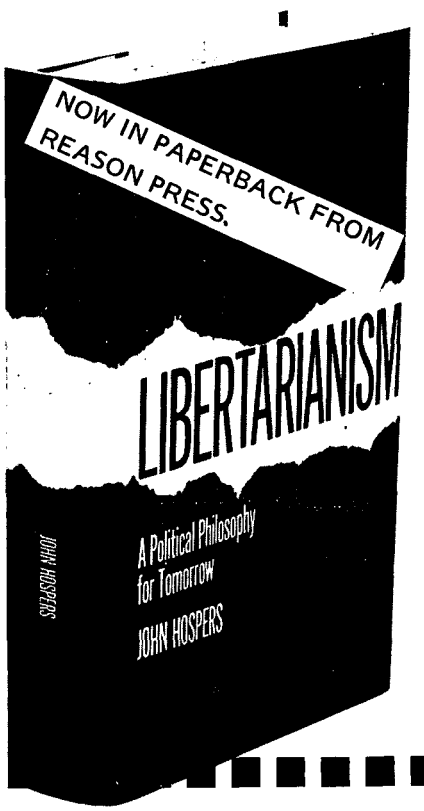


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# (but do you want national service?)

## FRED W ETCHEVERRY

As opposition to the Draft reaches dramatic proportions in the House, attempts to replace the military draft with a sort of compulsory domestic Peace Corps are growing. These attempts are aimed at splitting up the antidraft movement by offering a compromise to the antiwar group. "National Service," as it is called, is being proposed as an alternative to the military draft. However, advocates of National Service see it as the salvation for the youth of the nation and a permanent American institution.

It is very difficult to pinpoint just when or with whom in the last few years the idea of National Service started; it has developed so gradually. Secretary McNamara in his 1966 Montreal address to The American Society of Newspaper Editors proposed the Government "asking every young person in the United States to give two years of service to his country—whether in one of the military services, in the Peace Corps, or in some other volunteer development work at home or abroad." What McNamara meant by the word "asking" is not clear; he probably meant to be ambiguous so as to test public reaction.

*The CHRISTIAN SCIENCE MONITOR* editorial for June 18, 1970 states:

> There are risks in developing an all-volunteer or professional army—the risk that only one class of citizens will join, the risk that a militaristic 'German general staff' complex might spring up. But the latest presidential evaluators conclude that these risks are minimal.

While reform studies are under way it will also be worthwhile to consider whether the United States should not, even if abolishing the military draft, retain some form of 'national service' for the youth of the nation. For instance, a year with the Peace Corps or at work in ghetto rehabilitation, anti-pollution, care of the aged, and suchlike. To such unselfed service, which all young people might share on a basis of equality, very few could have conscientious objection.

The analogy in the editorial of a volunteer army to the "German general staff" is puzzling since Germany

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Fred Etcheverry is a licensed engineer in Los Angeles. He went to jail for eight months as a conscientious objector, before his conviction was overturned by the Ninth Circuit Court of Appeals in 1965.

was noted for conscription. The President's Commission on an All-Volunteer Armed Force[1] (often called the Gates Commission after its chairman, former Secretary of Defense Thomas Gates), is alluded to as just "the latest presidential evaluators," and avoids the concise logic of that commission's report which included such notables as General Guenther, General Norstad, Milton Friedman, and Roy Wilkins. The Commission in its report revealed that only one out of six men is a first-term only soldier, that is, a draftee or draft-induced volunteer. He is typically at the lowest level of the military ladder, and as a "civilian representative" could hardly effect military policy.

The *CHRISTIAN SCIENCE MONITOR* editorial is not presented for its cogency but because it represents a prevailing mood that seems to be developing and has, in fact, developed thus far into at least one bill before the House.

## NATIONAL SERVICE BILL INTRODUCED

Congressmen Bingham, Addabbo, Bergland, Byron, Carey, Rees, Roybal, and Udall have introduced H.R. 6223, a bill to create a National Service. According to this bill, a National Service Agency will replace the Selective Service System. The National Service Agency will be divided into three divisions: Civilian Service, Military Lottery, and Registration and Placement. The latter is for administration of local placement centers. Under the provisions of the bill, all male citizens on their nineteenth birthday will register and will have an option to go into Civilian Service, Armed Forces, or take their chance on the Military Lottery. Civilian Service will include government agencies, nonprofit hospitals, private and parochial schools, but not religious organizations, profitmaking business organizations, labor unions nor commercial farms. Conscientious opposition to National Service is provided for by the bill, but "a registrant must prove by a clear preponderance of evidence that service in general in a military and civilian capacity would be a violation of his most profound convictions." Also such opposition must be "by reason of training and belief . . . ." *If one's conscientious objection to National Service is not recognized by the National Service Agency, the bill then provides that he be sent to prison for up to two years.* Since service under the Act is deferred for such time that a person is in prison, he can be prosecuted again and again. Such repeated prosecutions do not technically constitute double jeopardy since each refusal to comply with the Act is considered as a separate offense. Congressman Thomas Rees, one of the sponsors of the bill, believes that probation should be given instead of prison and he hopes that, "some positive changes can be made in current policy so that we can discontinue this insane practice of locking up some of this nation's more principled citizens."[2] When objectors to conscription are presently offered probation, the condition of the probation is usually that they comply with conscription. Most do not, and go to prison.

## EARLIER PROPOSALS

The current thinking regarding national service can be traced back to 1910 when William James proposed a form of national service in his essay "The Moral Equivalent of War." James believed that "a man acquires [the feeling of] dignity when he knows that the services of the collectivity that owns him needs him." Therefore, in order to prevent war, his herding instinct had to be channeled into constructive goals. James also saw national service as a means of education "to get the childishness knocked out of them."

After World War I, peacetime military conscription was advocated by the military to be a national training system. According to John Dewey writing in *THE NEW REPUBLIC* it was proposed to "assimilate the foreign born," create "public mindedness," "a sense of public service and responsibility," and provide "cross-fertilization of our various strains." Dewey denounced the plan saying that it would only produce an "anonymous and drilled homogeneity."

While Roosevelt was creating three-letter service organizations in the 1930's, others were advocating that those organizations should be compulsory and not voluntary. The National Livelihood Plan was proposed as a form of national service. Hitler's Germany started "compulsory Labor Service." Military and labor conscription however were well established in Germany since the Prussian States.

In 1938 the Sheppard-Hill Bill was introduced before Congress; it gave the president sweeping power over business and labor and received the strong support of the American Legion. While the Sheppard-Hill Bill did not give direct power to the president to conscript labor, many critics were sure that conscription was inferred. Later, the Sheppard-May Bill was introduced, and it would have given the president in a "national emergency," proclaimed by Congress, power to draft men for military and *civilian service.* The May Bill was defeated.

## PEACETIME CONSCRIPTION

Only the emergency of World War II was able to convince the American people (before American entry into the war) that any form of peacetime conscription was warranted. The first peacetime conscription in the United States was inaugurated by the Selective Training and Service Act of 1940.

Following World War II, the advocates of peacetime military conscription, aided by a top-heavy army facing unemployment, started a massive propaganda campaign. [3] Motion pictures favoring conscription were subsidized; the army even lent searchlights to publicize their premieres. [4] The propaganda was so successful that it caused a wave of volunteers. In order to "prove" that it needed conscription to fill the ranks, the Pentagon was forced to raise enlistment standards temporarily. [5] In response to this propaganda, Senator Robert Taft of Ohio stated in a 1945 speech before the Senate: [6]

> Military conscription is essentially totalitarian. It has been established for the most part by totalitarian countires and their dictators led by Napoleon and Bismark. It has heretofore been established by aggressor countries. It is said it would insure peace by emphasizing the tremendous military potential of this country. Surely we have emphasized that enough in this war. No one can doubt it . . . . Military training by conscription means the complete regimentation of the individual at his most formative period for a period of twelve months.

The proponents of peacetime conscription were not as interested in what the individual could do for the state, as what the state could do for the individual in the form of "education." The post-World War II advocates of military conscription emphasized the possibility of moral and social education through "universal Military Training." Taft replied in the same speech:

> It is said that we are going to teach the boys citizenship in the camps. This argument makes clear a real danger in the whole system. By handing boys over for 12 months to the arbitrary and complete domination of the Government to indoctrinate them with the political doctrines then popular with the Government, it has all the dangers of Federal education and none of its advantages.

The argument that it is more economical to conscript than to hire men is at best a specious one. The Gates Commission concluded that the army would need only three-fourths as many first-term all-volunteer enlistees to provide a re-enlistment rate to fill the ranks of the existing army. Since much of the present army is engaged in first-term training, an all-volunteer army would eliminate superfluous personnel at a great saving to the tax payer. This is not considering the cost to the individual. When we ask a man to work for less than he would willingly, we are taking the difference out of his pocket. These arguments certainly apply not only to the army, but to any government service. Taft commented in his 1945 Senate speech:

> If we admit that in peacetime we can deprive a man of all liberty and voice and freedom of action, if we can take him from his family and his home, then we can do the same with labor, we can order the farmer to produce and we can take over any business. If we can draft men, it is difficult to find an argument against drafting capital . . . .

## VIOLATING INDIVIDUAL LIBERTIES

Conscription of any kind contravenes any constitution that professes to guarantee individual liberties; otherwise, what is to prevent conscription from being the twelve months Senator Taft feared or the two years we now have, the four years of the National Service Act Bill, or forever? If conscription is limited to an emergency, then who decides what is an emergency? Is ten percent unemployment a sufficient enough emergency to warrant conscription?

The United States Constitution does more than just guarantee individual liberty. Based as it is on the philosophy of the Lockeian Social Contract, it tries to limit the government by only giving it specifically proscribed power. The power to raise an army is an old favorite of the government in justifying military

conscription, even though this extention of power was eloquently refuted by Daniel Webster during the War of 1812. Webster argued that the Federal Government is, under the terms of the Constitution, entitled only to the aid of the militia of the States and then only "to repel invasion, suppress insurrection, or to execute the laws," and that a general draft would thus circumvent this express limitation. Furthermore, Webster contended that the government cannot use just any means to exercise even its constitutionally granted power. The government's assertion that it could not afford to hire a voluntary army and thus had to resort to conscription in order to exercise its power to raise an army was, according to Webster, "subduing the difficulties which arise from deficiencies of the Exchequer." Webster reasoned that if lack of funds could become an excuse for government to employ drastic means to implement its powers, then that government's own prodigality could become a rationale for despotism.[7]

## INVOLUNTARY SERVITUDE A NOBLE DUTY?

But what power could possibly be misconstrued to enable compulsory labor? Clearly, National Service contravenes that section of the Thirteenth Amendment of the Constitution prohibiting "involuntary servitude except as punishment for a crime" However, those who were sent to work camps during World War II were denied relief by the Thirteenth Amendment because they elected to be conscientious objectors. The court held that conscientious objectors could have accepted military conscription, but were privileged to be sent to a work camp. Thirteenth Amendment appeals from military conscription have been denied. In its opinion, the court quoted from the "Selective Draft Law Cases" which upheld the constitutionality of the 1917 Selective Draft Law:

> Finally, as we are unable to conceive upon what theory the exaction by government from the citizen of the performance of his supreme and noble duty of contributing to the defense of the rights and honor of the nation, as the result of a war declared by the great representative body of the people, can be said to be the imposition of involuntary servitude in violation of the prohibitions of the Thirteenth Amendment, we are constrained to the conclusion that the contention to that effect is refuted by its mere statement.[8]

National Service could just as easily be considered as "performance of (one's) supreme and noble duty . . . contributing to the honor of the nation." "Contributing to the health and welfare of the nation" is a favorite phrase of the Selective Service used to describe conscientious objector work. Terrence Cullinan, a proponent of National Service writes in *THE DRAFT* (1967), "the trend in Supreme Court decisions makes it clear that public education is related to 'the general welfare of the United States as a whole.' "

The Fifth Amendment of the Constitution attempts to prevent the government from confiscating an individual's property; can it be constitutional then to take an individual away from his property? Is not labor property? In a very real manner of speaking an individual's labor is his "trade"; it is that which he trades for the tangible property he needs. Although the government pays wages to conscripts, it cannot be contended that this is the "going rate" compensation. The fact that the government resorts to compulsion shows that the market value for the labor is not being paid, since market value is in the words of the court (United States v. Miller), "what a willing buyer would pay in cash to a willing seller."

## CHALLENGING NATIONAL SERVICE

Fighting National Service in the courts will be difficult. Ordinarily, one must first break a law in order to challenge its constitutionality and have "standing" before the law. When attempting to test the laws regulated by "administrative agencies," such as the Internal Revenue, National Labor Relations Board, or Selective Service, the court maintains that one must make every attempt to seek relief from the particular agency before going to court in order to have standing. Ostensibly these rules are to keep the courts from becoming overburdened with abstract and hypothetical debates about what a law might do, and to make the court the last resort for those that have "exhausted their administrative remedies."

Another rule of court is that if you cooperate too much with the administrative agency, then you have

acquiesced to the law and have no standing in court. Often the threshold is so tenuous as not to be discernible to even a skilled attorney, and the court decides after the fact exactly where the point of no return lies. The rich find the administrative remedies; the poor enter court with no standing or no money to take their case to the Supreme Court. Thus they lose their turn and go to jail. Even if an attorney gave $15,000 worth of free time, it would cost $500 just for the "right" to file "a petition for writ of certiorari" before the Supreme Court.

The proponents of National Service on the left claim that it will perform racial and cultural integration and offer economic opportunity for the poor and the black; those on the right maintain that it will straighten out the drug using, sex orgying, long hairs and help build character. Edward Kennedy leads a group that claims that a voluntary army will be all black. They, no doubt, will start moving to initiate a National Service giving exemption for military enlistees. Why is anyone afraid of an all black army? If the economic condition was such that an army career would provide opportunity to blacks, which it does not, why not let them have that opportunity? When prejudice against the Irish was rampant, they found opportunity in the police forces. Likewise the Jews found opportunity in small business.

Conscription is total control of the individual by the State; it is by definition totalitarian. If the United States were to find itself at war no doubt we would all lose certain civil liberties. It might be argued by some that the state does not have the right to suspend liberties even during a state of siege while others might maintain that such revocation of some liberties is at least understandable under such circumstances. But what on earth can justify surrendering our liberties to public works. We must end peacetime military conscription and prevent National Service from becoming law. ◻

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# the laissez faire concept: some abuses

## HOWARD SAMSON

Although it would be useless to hark back to "the good old days," those who lament today's general tendency *not* to call a spade a spade are not without foundation. In accordance with the drift of our era, a janitor can now claim the appellation of "vice-president in charge of the maintenance division." However amusing this kind of semantic exercise may be, its effect on the social sciences is crucial. People are usually able to recognize examples of political semantics only in their more blatant forms (e.g., Orwell's "War is peace"). In their less blatant and more carefully disguised forms, however, the obfuscation of language can have extremely important (and often debilitating) ideological effects. Although I am certainly not qualified to deal extensively with this complex and interesting problem, I do wish to impress upon readers the importance of taking cognizance of this general problem (especially as it pertains to libertarianism). In the words of two left-radicals, "Those who have the right to define are the masters of the situation."[1] Although libertarians are generally aware of this, especially with such words as "liberty" and "freedom," few are aware of the extent to which the concept of "laissez faire" has been badgered and pummeled.[2] In this short essay, I wish to present a few examples of the perversion of the laissez faire idea so that in the future opponents of laissez faire will be unable to follow their illegitimate mode of argumentation. At the outset, we may define laissez faire primarily as noninterference in matters economic although it may also be legitimately applied to cultural matters (e.g., nonregulation of sexual mores).[3]

### I. ABUSE BY HISTORIANS

Our first example of the abusive treatment of laissez faire centers on a popular collegiate textbook, *THE NATIONAL EXPERIENCE: A HISTORY OF THE UNITED STATES.* [4] Contributors to this work represent the cream of the crop of Court historians: They include C. Vann Woodward and (surprise of all surprises!) Arthur M. Schlesinger, Jr. Supposedly, these are the Great Golden Mean historians who have pinpointed the contemporary dialectic in its ever-moving struggle. In this case, it is Woodward who shows us how *Wertfrei* historians can be.

Displaying the typical pre-Kolko orientation, Woodward begins (p. 393) by erroneously informing us that "The central theme of American history during the quarter-century following Reconstruction was laissez faire—'let alone.' " Since we have all heard this theme before, the statement might be immediately dismissed. But Woodward's interpretation of that which is laissez faire is what is interesting. In discussing the subjugation of blacks during the period *(ibid.),* he writes, "White Southerners responded with fervor to the doctrine of laissez faire." In one of the most grotesque strangulations of logic I have ever encountered, Woodward follows this course of reasoning: Laissez faire means noninterference in economic matters. Laissez faire also means noninterference in other matters (in this case, justice). Therefore, because laissez faire means "let alone," it was laissez faire when Southern whites were allowed to lynch blacks. This, of course, is pure nonsense and all the more remarkable considering that its source is an esteemed professor of United States history. Briefly, Woodward's analogy is scandalous: It is tantamount to saying that one who believes in laissez faire believes that all crimes should go unpunished! Notice also that this directly contradicts the modern liberal's chiding of classical liberals for seeking a government that engages only in such negative activies as barring force and fraud from the market. Clearly, Woodward has engaged in circular reasoning. By preempting the meaning of laissez faire, it is not hard to see what the consequences of this kind of "laissez faire" will be. The stage is thus set for the

*"Few are aware of the extent to which the concept of 'Laissez Faire' has been badgered and pummeled."*

modern liberal to discard the laissez faire concept *in toto,* since, in Isabel Paterson's words, ". . . an erroneous concept or theory (in this case, "laissez faire") may be expressed in terms which embody the error, so that thinking is blocked until the misleading words are discarded from the given context." And so, laissez faire loses by default.[5]

This error is also committed by the so-called friends of "modern capitalism." For Walter Lippmann, for example, the fact that economic activities are protected by law (i.e., some agency—in this case, government—is involved), is an indication that laissez faire is a "fallacy."[6] Here again, the false analogy. That laissez faire *does* mean nonregulation in economic matters *does not* mean non-involvement by law: This statement is just as relevant for anarcho-capitalists as it is for classical liberals. The analogy leads Lippmann to absurd interpretations, as the following shows:

> It is most important to fix this clearly in our minds, for then we shall be spared much confusion. Let us examine an extreme case: in 1848 Herbert Spencer argued against Boards of Health. It is "within the proper sphere of government," he says, "to repress nuisances." So if a man "contaminates the atmosphere breathed by his neighbor," he is "infringing his neighbor's rights" and the government may be called upon to deal with him as a trespasser. But for the state to "interpose between quacks and those who patronize them" is, said Spencer, "directly to violate the moral law." Thus he was arguing that if I annoy my neighbor by blowing smoke into his house, I may be punished, but if I kill him by deceiving him into thinking that I am a physician, I go scot-free, and my victim's widow is forbidden to shoot me. Spencer thought he was distinguishing between two realms, one where the state intervenes and one where it does not. But actually the state intervenes in both instances. The only difference is that in the case of the trespasser Spencer would have the law protect the victim, in the case of the quack he would have the law protect the aggressor."[7]

Lippmann's silly interpretation at least follows from his own premises. But it is clear, even from his own presentation, that Spencer meant noninvolvement only in the exchange itself and not its consequences. This abusive and popular interpretation of laissez faire will not stand up to logic.[8]

I will give only one other example of Woodward's treatment of laissez faire. We can extend comfort to him since he is not alone in the use of it. In recounting the activities of railroads in the Gilded Age (pp. 438 ff.), Woodward notes that "the federal government continued through the years of the worst railroad anarchy to practice laissez faire." *Remarkably, paralleling his discussion of the "sins" of laissez faire, Woodward recounts the presence of such devices as tariffs, land grants, subsidies, ad infinitum.* With characteristic duty, he glosses over what he himself presents and separates these evidences of government intervention from the conditions he describes. Nexus analysis, especially as advanced by Bastiat and Hazlitt, teaches us that we must analyze particular situations by linking effects with their causes. Abnegation of nexus analysis means that the analyst takes the situation as a given and proposes methods to solve a problem before asking what created the problem in the first place. Here, then, Woodward is destroying a bogey-man. If such anti-laissez faire devices as subsidies create a particular situation, one can hardly blame laissez faire for that situation. Yet this is what Woodward and others have done; if one ignores the root cause, then the situation can be blamed on whatever one opposes, regardless of whether what is opposed exists or not. Here again laissez faire takes the blunt end of the club.[9]

## II. ABUSE BY SOCIAL SCIENTISTS

Another example of the distortion of laissez faire so as to discredit it is the famous test of the "participation hypothesis" conducted by Lewin, Lippitt, and White in the late 1930's.[10] Using groups of ten-year-old boys, the three experimentally created leadership climates of "authoritarian," "democratic," and "laissez faire" were used to test their respective effects on each child's resultant attitudes. It was found that when the leader of the group was neither domineering ("authoritatian") nor passive ("laissez faire") but "democratic" (i.e., gave direction *and* some freedom), group productivity and satisfaction increased. In other words, the democratic form of small group leadership was the most efficacious. Whether right or wrong, the results of the test do not concern us. What is important is the faulty analogy social scientists have made; the Lewin findings have been transferred from the sphere of small groups to the sphere of the larger social system.[11]

The transference takes, roughly, the following shape: Small group activities are best effectuated through the democratic mode, since it affords greater productivity with a maximum of group compliance. This mode is clearly superior to the authoritarian and laissez faire types of group leadership. Therefore, a democratic society is clearly superior to either an authoritarian or laissez faire society.

The absurdities of this analogy should be evident. First, if by "democratic" we mean "letting the people choose," then the people can choose an authoritarian or laissez faire setting. This, of course, is generally ignored (deliberately) by doctrinaire democrats. Second, and most important, the social scientists who make this illegitimate transference fail to tell us what a laissez faire society would be like. Whether of the limited government or anarchist variety, it is true that government would be nearly (or totally) passive. Not discussed is the rather obvious fact that the individual does not have all his relations with government. In a laissez faire society, a man may have an employer who decides that the democratic mode of group decision is best for the morale of his employees. The employer is also free to choose the other two modes. Likewise, parents have the same choice in their relations with their children (although, of course, the authoritarian mode would not be preferred). The point is that the democratic mode of decision-making and a laissez faire society are not mutually exclusive. We should therefore be aware of statements by social scientists, commenting that studies such as Lewin's represent

> the empirical demonstration of the functional superiority of a democratic form of organization . . . . Even to a limited extent, it can be seen that science can bolster the claims of a democratic form of authority, and it would therefore seem that on scientific grounds, it is the duty of the scientist to take the side of fostering democracy . . . .[12]

## III. THE CONSERVATIVE MISNOMER

Another popular method of attacking laissez faire is to call it "conservative." First, it should be quite apparent that whether an idea is in and of itself "conservative," "orthodox," "liberal," "radical," or whatever is of no relevance. What has to be shown is whether the idea is right or wrong. Second, by calling laissez faire "conservative," its critics confuse the difference between conservatism and classical liberalism. Conservatives are often notoriously anti-laissez faire in orientation and indeed often have more similarities with modern liberals and socialists.[13] Third, if by conservative we mean acceptance of the status quo, then laissez faire is perhaps the most *radical* philosophy one can presently hold. Fourth, it is remarkable that historians refer to "laissez faire conservatism" in the *nineteenth* century—one wonders whether laissez faire has *ever* been considered radical. Fifth, a common objection to laissez faire is that it has been used as a conservative justification for the status quo. It is true that this has happened, especially with the philosophy of Social Darwinism.[14] Especially frequent are the taunts that businessmen support free enterprise but call for tariffs and other protectionist measures. But the point is that once government grants favors, there is no laissez faire and therefore "laissez faire conservatism" can be seen as a contradiction in terms.[15] A businessman who advocates a tariff negates *himself,* not laissez faire. Precisely because laissez faire is a dynamic system which shows no favor for stagnating economic interests, it is logically absurd to call it conservative. Indeed, we can question whether laissez faire can *ever* become conservative. To borrow Lord Acton's opinion of classical liberalism, laissez faire may very

well be a "revolution in permanence." It is quite clear then that in this context "conservatism," like "isolationism," is a scare word used by those who have no better way to criticize laissez faire. One sometimes wonders whether Keynesianism, through semantic co-optation, will in the future escape the charge of being orthodox.

## IV. FREE TRADE AND PROTECTIONISM

One of the more amusing proofs of my assertion is the recent discussion in popular journals of the problem of trade between nations. Most economists agree that free trade is desirable—even most interventionist economists acknowledge that this aspect of laissez faire is generally valid. What has happened? Since free trade is desirable, it is called "liberal" (i.e., it is "good"). James Reston, in regard to U.S. economic relations with Japan, wrote of the United States' rejection of the "liberal free trade economic principles it has advocated for more than a generation."[16] Likewise, one of the major Establishment magazines claimed: "The present crisis endangers the free exchange of money and goods, and casts a shadow on the unimpeded flow of people and ideas."[17] In other words, if you advocate laissez faire (free trade) between nations, you are a liberal (i.e., a good and wise person). However, if you advocate free trade within the nation's boundaries (drawn by politicians), you now, magically, become a conservative (i.e., a bad and stupid person). A nation's border line thus has the remarkable effect of changing the principles of economics.

Semantic hypocrisy is seen again in the explanation for America's recent anti-free trade tendencies. Simplistically, Republicans are said to favor "free enterprise." Yet Nixon's protectionist policies are explained by the following: "There is little chance for any reform without a prosperous U.S. economy. Richard Nixon, a man who instinctively favors the traditional, long believed that the nation would find that prosperity and stability where it normally has in the past: the marketplaces of classic laissez faire economics."[18] In other words, because free trade between nations is liberal and laissez faire is still a no-no, protectionism now becomes *equated* with laissez faire! So, by terminological co-optation, laissez faire is seen as reactionary from both perspectives, with no more options to defend itself with.

## V. THE "OUTDATED" CHARGE

Another popular distortion of laissez faire is the charge that it is "outdated." On definitional terms we can see through this. Let us take, for example, a famous statement by Mr. Justice Douglas. In an attempt to justify coercion against racists and their "public" private property, Douglas held:

> Places of public accommodation such as retail stores, restaurants, and the like render a "service which has become of public interest" in the manner of the innkeepers and common carriers of old . . . . In our time the interdependence of people has greatly increased; the days of laissez faire have largely disappeared; men are more and more dependent on their neighbors for services as well as for housing and the other necessities of life.[19]

What is public and what is private does not concern us here; the interpretation of laissez faire does. Marxists attack capitalism, laissez faire, and the division of labor. Yet here Douglas has pulled a rather remarkable switch—attacking both Marxists and capitalists alike, he has disassociated laissez faire from the division of labor! This is sure to be a surprise for writers of economics textbooks. Laissez faire pertains *precisely* to the industrial society Douglas wishes to separate it from. Professor Rothbard's comments are especially cogent:

> Critics often level conflicting charges against the free market. The historicist-minded may concede that the free market is ideal for a certain stage of economic development, but insist that it is unsuited to other stages. Thus, advanced nations have been exhorted to embrace government planning because "the modern economy is too complex" to remain planless, "the frontier is gone," and "the economy is now mature." But, on the other hand, the backward countries have been told that *they* must adopt statist planning methods *because* of their relatively primitive state. So any given economy is *either* too advanced or too backward for *laissez faire;* and we may rest assured that the appointed moment for *laissez faire* somehow never arrives.[20]

And we may also rest assured that Mr. Justice Douglas is one of those who advocate interventionist planning in backward countries. Laissez faire is relevant in those economies where people are *not* self-sufficient. What else does free trade imply?

Laissez faire is, in this context, also deemed outdated for its supposed companionship with "rugged individualism." Unfortunately, some libertarians have accepted the designation of "rugged individualist," Yet this peculiar creature is a bogey-man who is not

only unattainable but undesirable as well. Confused here are two types of individualism. One is the so-called right to "do your own thing" (which is the type some libertarians have unwittingly embraced). On the contrary, libertarianism holds that you can "do your own thing" *only* if you do the "thing" with what is yours (either by ownership or voluntary agreement to use another's property). Consistent libertarianism embraces a second type of individualism, which is essentially a philosophy of noncoercion. Here it must be made clear that the opposite of conformism is not individualism but nonconformism. Individualists conform to many things, especially the principles they all agree on. Compulsive nonconformism is, in fact, irrational.

"Rugged individualism" implies the existence of primitive men in wide-open spaces. The individualism of libertarianism, on the other hand, is not a theory about man versus society; it is a theory of how men should act *within* society. It is not a theory of isolated men; it is a theory of morally autonomous men in relatively voluntary, noncoercive association. Yet what has happened is that people *equate* the two types of individualism. Individualism a la Nietzsche, the will to power (over others?), comes to be seen as the individualism libertarians hold. Thus, laissez faire is associated by its opponents (and sometimes its friends) with the Nietzschean type of individualism. The concept again loses by default, this time for being associated with something it is not really associated with.[21]

## VI. DICTIONARY ABUSE

Semantics also pervades the dictionaries. In *WEBSTER'S NEW TWENTIETH CENTURY DICTIONARY* (2nd ed. 1969), we find the following definition of laissez faire: "noninterference in matters of economics and business; letting the owners of industry and business fix the rules of competition, the conditions of labor, etc. as they please, without governmental regulation or control." Now the people at Webster's have every right to define a term or phrase in any way they see fit. They may define Raquel Welch as being "of the male gender." But it is quite clear that this is *not* a definition—it is *editorializing,* something I thought dictionaries rigorously avoided. Owners, under laissez faire, may *attempt* to "fix the rules of competition" or fix "the conditions of labor." But they might also *not* attempt to do so. Further, a businessman cannot simply snap his fingers and get what he wishes—he has to take his own profits into consideration if he attempts to do those things the people at Webster's say he will do. We must conclude that this is an attempt on the part of a "value-free" lexicographer to influence his audience by distorting the meaning of laissez faire.

As I was writing this, however, a contrary thought came to my mind. Perhaps the lexicographer *really is* writing free of all prejudice. *Perhaps* he is only duly recording what is today the common meaning of laissez faire. In that case, the definition is even more of a proof of the semantic distortion of laissez faire. At least it's food for thought.

## VII. NIXON'S ECONOMIC POLICIES

Before President Nixon instituted his wage and price control scheme, some interesting remarks were made concerning the nation's economic woes. One in particular struck my fancy—it came from A. W. Clausen, the president of the Bank of America, no less.[22] "The President should speak out more forcefully and specifically on inflationary settlements and price increases," stated Clausen. "The Administration is failing with its laissez faire policy." Readers may be amused, but our new age of word games is really quite serious. The real meaning of Clausen's statement is this: Government may have as many controls and regulations on the economy as it pleases, but if there are no wage and price controls, *we still have laissez faire.* Laissez faire, then, is the cause of our problems and we must abandon it to get anything done (i.e., begin wage and price controls).[23] In other words, we are now supposed to discard the standard liberal mythology concerning the death of laissez faire (circa 1933?). Now all our economic problems are to be blamed on laissez faire, albeit one with a brand new definition. Thus, the phrase "laissez faire" is reinforced in the public's mind, once again, as the cause of our age's afflictions. There have been, so they say, no depressions since "laissez faire" was abandoned (because depressions are now called recessions or "downward trends?"). However, readers are forewarned that when the country does have what will be admitted to be a genuine depression (or any other pratfalls, for that matter), its cause will be placed at the door of a nonexistent laissez faire.

## VIII. UNORGANIZED CHAOS

One final example will be employed to show the misuse of laissez faire. In a discussion of that smog-ridden California city, I encountered a statement concerning "Los Angeles and its laissez faire ways."[24] This implies, of course, that laissez faire means unorganized chaos. Not stated is the role of the city's government (and the state of California) in creating a situation not possible under laissez faire. Laissez faire, for example, did not build government highways. Again, chaos produced by *anything* or *anybody* is blamed on laissez faire. We often hear charges of "waste" in the private sector (i.e., people spending their own money as they see fit). When the United States Post Office, for example, loses millions of dollars a year, *that* is chalked up as "inevitable" or backed by the claim that "We only owe it to ourselves!" Thus, government waste and chaos is either "necessary" or blamed on "laissez faire" (are not government waste and laissez faire mutually exclusive?).

And then we must encounter, at one time or another, the bogey of either the "planless economy" or the "invisible hand"—both of which are supposed to indicate the "inevitable chaos" of laissez faire and the free market. First, *the question is not between planning or no planning; the question is where the planning will occur*—at the level of supposedly "omniscient" bureaucrats or at the level of the real economic actors who have more reliable economic data with which to act? Second, the "invisible hand" is a grossly simple way of naming the aggregation and adjustment of individual exchanges on the market. There is no "invisible hand" when I trade my money for another's product; there are some who still believe that something is invisible if not performed by government. In Rothbard's pertinent words,

> Is it, then, surprising that the early economists, all religious men, marveled at their epochal discovery of the harmony pervading the free market and tended to describe this beneficence to a "hidden hand" or devine harmony? It is easier for us to scoff at their enthusiasm than to realize that it does not detract from the validity of their analysis.
>
> Conventional writers charge, for example, that the French "optimistic" school of the nineteenth century were engaging in a naive *Harmonielehre*—a mystical idea of a divinely ordained harmony. But his charge ignores the fact that the French optimists were building on the very sound "welfare-economic" insight that voluntary exchanges on the free market conduce harmoniously to the benefit of all.[25]

## IX. CONCLUSION

I could, of course, give many other examples of the use and abuse of the laissez faire concept. The point is that the concept *is constantly abused,* often with the tacit compliance of "friends" of the free market. I am convinced that much of the problem the libertarian faces in persuading others to join him in a broad front for voluntarism is semantic and definitional in nature and origin. Libertarians should be constantly on guard against this problem, especially as it pertains to such important terms and phrases as laissez faire, individualism, and the like. We must remember Voltaire's dictum that, "If you would converse with me, define your terms." Perhaps by so doing, half the libertarian's battle will already be won. ◻

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### NOTES AND REFERENCES

[1] Stokely Carmichael and Charles V. Hamilton, *BLACK POWER: THE POLITICS OF LIBERATION IN AMERICA* (New York: Random House, 1967), p. 36.

[2] See F. A. Hayek, *INDIVIDUALISM AND ECONOMIC ORDER* (Chicago: University of Chicago Press, 1948), p. 17.

[3] Readers may object, along with Karl Mannheim, that "We shall begin with the fact that the same word, or the same concept in most cases, means very different things when used by differently situated persons" *(Ideology and Utopia* (London, 1960), 245). There is no argument here however. It is one thing to say that a concept with different meanings (such as "individualism") will be used differently. "Laissez faire," on the other hand, is a concept generally acknowledged to have one particular meaning. Deviations from that meaning often amount to little more than linguisitic perjury.

[4] John M. Blum *et al., THE NATIONAL EXPERIENCE: A HISTORY OF THE UNITED STATES* (2nd ed.; New York: Harcourt, Brace and World, 1968).

[5] For this same error, but from a different angle, see Louis Hartz, *ECONOMIC POLICY AND DEMOCRATIC THOUGHT: PENNSYLVANIA, 1776-1860* (Cambridge, Mass.: Harvard University Press, 1948), pp. 181-186. In an attempt to establish the "myth of laissez faire," Hartz maintains that since Pennsylvania instituted social reform in moving "to abolish rights in slave *property*" (my emphasis),

*"Frank Chodorov spoke for many libertarians when he said, " 'Anyone who calls me a conservative gets a punch in the nose.' "*

this was an example of government involvement and therefore anti-laissez faire in nature. At this point, we might add that recent historical research (e.g., that by Hartz and the Handlins *[COMMONWEALTH: MASSACHUSETTS, 1774-1861]*) designed to show the breadth of state regulatory activity in the last century and therefore the "myth" of laissez faire, may prove a boomerang. For if their research is true, then economic problems could logically be attributed to state interference. ". . . much of what was done and most of what was not done, some of what was good and practically all of what was evil in nineteenth-century England and America have been accounted for by a facile reference to laissez faire." Lloyd R. Sorenson, "Some Classical Economists, Laissez Faire, and the Factory Acts," *J. OF ECONOMIC HISTORY* (Summer, 1952(, p. 247. Further, the nonexistence of laissez faire (or any other economic system) says nothing about whether it is valid or not.

[6] *THE GOOD SOCIETY* (Boston: Little, Brown & Co., 1947), pp. 184-192.

[7] *IBID.,* pp. 187-88.

[8] We might here mention another error by Lippmann. He maintains (p. 185) that laissez faire was the "necessary destructive doctrine of a revolutionary movement" but was useless once the liberal revolutions were over. First, it hardly seems logical that an economic policy be used for "destructive" purposes (i.e., removing mercantilist restrictions) and then dropped. Why not just a smooth transition from mercantilism to Lippmann's pet economic system? Second, Lippmann makes the erroneous (and common) assumption that laissez faire was instituted immediately on publication of *THE WEALTH OF NATIONS.* On the contrary, policies promoting economic freedom lagged behind (often by decades) policies promoting political freedom. Lippman's approach would logically lead him to the following ironical statement: A person who believed in laissez faire would deplore a governmental reform favoring laissez faire because that reform would involve government (!).

[9] Abnegation of nexus analysis is, of course, still rife in inquiries into modern problems. For example, union privileges and minimum wage laws cause unemployment but most propose as a solution to the latter not the removal of the former but policies such as public jobs, etc.

[10] I draw my presentation from Sidney Verba, *SMALL GROUPS AND POLITICAL BEHAVIOR: A STUDY OF LEADERSHIP* (Princeton, N.J.: Princeton University Press, 1961), pp. 206-25. On the actual experiment, see Lewin, Lippitt, and White, "Patterns of Aggressive Behavior in Experimentally Created Social Climates," 10, *J. SOC. PSYCH.* pp. 271-99 (1939).

[11] See the writers cited by Verba, *supra* note 10.

[12] Wolpert, "Toward a Sociology of Authority," in Alvin W. Gouldner (ed.), *STUDIES IN LEADERSHIP* (New York: Harper, 1950), p. 699. What Wolpert means by "democracy" should not be very surprising.

[13] Interested readers may consult many sources on this subject. See Murray N. Rothbard's pamphlet, "The Transformation of the American Right," and his "Confessions of a Right-Wing Liberal," *Ramparts,* June 15, 1968, pp. 48-52; Ronald Hamowy, "Liberalism and Neo-Conservatism: Is a Synthesis Possible?," *MODERN AGE,* (Fall, 1964), pp. 350-59; Hayek, "Why I Am Not a Conservative" in *THE CONSTITUTION OF LIBERTY* (Chicago: University of Chicago Press, 1960), pp. 397-411. See also the bevy of articles on this subject in the *NEW INDIVIDUALIST REVIEW,* e.g., Edward C. Facey, "Conservatives or Individualists: Which Are We?" (Summer, 1961), pp. 24-26; Hamowy and William F. Buckley, Jr., " 'National Review': Criticism and Reply," (November, 1961), pp. 3-11; James M. O'Connell, "The New Conservatism," (Spring, 1962), pp. 17-21; Benjamin A. Rogge, "New Conservatives and Old Liberals," (Autumn, 1962), pp. 31-34; Ralph Raico, "The Fusionists on Liberalism and Tradition," (III, 3), pp. 29-36. Frank Chodorov spoke for many libertarians when he exclaimed: "Anyone who calls me a conservative gets a punch in the nose."

[14] See Rosalie Nichols' instructive "Social Darwinism Or, How To Turn People Off To Laissez Faire," *S.E.L.F. REPORT* (April 1970), pp. 8-15.

[15] Even with this recognition, some writers such as Ben B. Seligman *(MAIN CURRENTS IN MODERN ECONOMICS)* equate Mises' "libertarianism in extremis" with conservatism. For a totally uncalled-for article, see Frank H. Knight, "Laissez Faire: Pro And Con," *J. OF POLITICAL ECONOMY,* (December 1967), pp. 782-95.

[16] *NEW YORK TIMES,* 3 September 1971.

[17] *TIME,* 30 August 1971, p. 18.

[18] *IBID.,* p. 13. It should not be surprising then that more objective analysis is available from left-liberal publications. Cf. Robert Eisner's statement that "if Nixon's economics signifies essentially not laissez faire liberalism but protection of his own political constituency—most importantly big business and the rich—the new economic policy is basically consistent with the old." "Nixon's Old Economic Policy," *THE PROGRESSIVE,* October 1971, p. 21.

[19] Justice Douglas, *Lombard v. Louisiana,* 373 U.S. 267, 279 (1963).

[20] *POWER AND MARKET* (Menlo Park, Calif.: Institute for Humane Studies, 1970), p. 174.

[21] Another popular misconception is that individualism and laissez faire went out with the advent of corporations. This implies that economic individualism was valid only so long as each person owned his own business. On the contrary, individualism still holds since a corporation is formed by individuals in voluntary association: There is nothing mysterious about a corporation once one looks at the individuals acting in its name. A critique of the tendency to regard competition as valid only when it is "perfect" can be found in Hayek, *INDIVIDUALISM AND ECONOMIC ORDER, loc. cit.,* pp. 92-106. On the well-worn issues of Herbert Hoover, the Great Depression, and "outmoded" laissez faire, see the following by Rothbard: "Herbert Clark Hoover: A Reconsideration," *NEW INDIVIDUALIST REVIEW,* (Winter 1966), pp. 3-12; "The Hoover Myth," in Weinstein and Eakins (eds.), *FOR A NEW AMERICA, ESSAYS IN HISTORY AND POLITICS FROM STUDIES ON THE LEFT, 1959-1967* (New York: Random House, 1970), pp. 162-179; *AMERICA'S GREAT DEPRESSION* (Princeton, N.J.: D. Van Nostrand, 1963). See, also Eugene Smolensky's caustic review of the latter in the *J. OF ECONOMIC HISTORY,* (june 1964), pp. 283-84.

[22] *TIME,* 16 August 1971, p. 68.

[23] "(*TIME* Correspondent Lawrence) Malkin had previously reported that Federal Reserve Board Chairman Arthur Burns was becoming increasingly disenchanted with the classic economic theory (laissez faire, pray tell?) espoused by the President's chief economic advisor, George Schultz." *Ibid.,* p. 5.

[24] *TIME,* 9 August 1971, p. 41.

[25] *MAN, ECONOMY, AND STATE* (Los Angeles: Nash, 1970), II, pp. 922-23.

# an adventure in east village

## PAUL LEPANTO

One of the most exciting experiences a libertarian can have is this: to see concrete evidence of the growth of the libertarian movement. I had such an experience on March 4 of this year. For on that Saturday, a libertarian bookstore opened in New York City, and I was there.

I had received by mail an announcement heralding the grand opening of the new store, and had decided at once that my attendance at this libertarian happening was a *must.*

On the day of the happening, as I walked the few blocks from the subway to the store, I pondered the significance of the birth of this bookstore. Libertarianism was growing, finding increasing support among thinking people everywhere. This growth had reached the point where a libertarian bookstore could be opened in a city that has long been one of the world's most competitive marketplaces. A healthy, hopeful sign.

Several very rich hours would elapse before another thought would dawn on me, a thought pertaining to the future of a libertarian bookstore in New York City.

As I walked, I remembered that New York University's downtown campus was nearby. "That ought to be good for business," I said to myself.

I rounded the corner of Mercer and Bleecker Streets, and found the establishment I had travelled over seventy-five miles to reach: the Laissez Faire Bookstore.

What does a desert traveller feel upon finding an oasis? That's what I felt upon entering the Laissez Faire Bookstore. For I found myself in the midst of books and pamphlets authored by many of the minds I admire most: Ayn Rand, Branden, Rothbard, Mises, Tuccille, Aristotle – and many, *many* more. The publications that I usually have to search for among stacks of trash in conventional bookstores – brought together in one place, under one roof, thanks to the vision and daring of one man.

That man, John Muller, was at the back of the store, making preparations to receive the two guests of honor who would soon appear. It had taken him months of hard work to reach this day: months of seeking out the capital, selecting the titles, contacting the vendors, planning the advertising, organizing the record-keeping, unpacking the books, attending to the details, and paying the rent on a store that was leased last fall. I remembered a line from my favorite novel: "Motive power – you can't imagine how important that is. That's the heart of everything."

I introduced myself to the young businessman, and then, along with a dozen other customers, I browsed. There were books, pamphlets, magazines, photographs, posters, buttons – a plethora of libertarian goods. And yet, the shelves were not completely filled. There were still titles to be added. "Still work to be done," I thought, "as in the movement itself."

What a solemn mood to be in! Especially when *mirth* seemed to characterize most of the people in the store.

Suddenly, my attention turned from the publications to the people.

The girl attending the cash register is Sharon Presley (M.A. in psychology, thesis on the psychological make-up of libertarians). Just helping out? No; Sharon has moved to New York and will work regularly at the bookstore.

The fellow selling donuts to go with the coffee is none other than David Friedman (college-educated in chemistry and physics, and son of Milton).

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Paul Lepanto is the author of RETURN TO REASON, an introduction to the Objectivist philosophy.

*"What does a desert traveller feel upon finding an oasis?*
*That's what I felt upon entering the Laissez Faire bookstore."*

Everybody seems so jocund; my mood is changing; David Friedman, selling donuts!

I make a vital decision: I decide that the donut supply is getting low. So out I go, to buy some more. When I return to the store, I set the donuts out on the table and tell Dave, "I'm underselling you; I'm *giving* these away." "That's O.K.," he says; "When yours are all gone, I'll resume selling mine." Whereupon he puts his donuts away and starts *stuffing* himself on mine!

Customers chat amiably with one another about philosophy, economics, science fiction. I feel so at home among these people. I feel so good. I feel so . . . so . . . so *young.*

Here comes the first guest of honor: Jerry Tuccille. Tuccille himself, chatting with customers, autographing books, reminiscing about the ten years during which he collected rejection slips from publishers (the first 10,000 copies of his latest book are almost used up), and describing the new magazine, *Outlook,* which he edits.

Busy man!

Dave Friedman and I talk about the ethics of rational self-interest and Ayn Rand's arguments on the question of rights. He and I disagree. And yet, I feel so relaxed. My ideas flow from my mind to my lips so easily. (Why should it be that disagreement so often fosters tension and hostility?)

Chatting with people. Mixing. A very attractive young lady asks me to autograph her copy of my book. People are conversing, exchanging ideas, thinking.

It's been said that social interaction is good and pleasurable if and when those interacting have similar values. But, of course!

Dave is making up little signs for window display. I talk with Emilia Nordtvedt, a charming and intelligent Village libertarian.

What's this? The donut supply is *dangerously* low. But then, the sotre is quite crowded, and has been for some time.

"Emilia, let's go out and buy some more donuts."

While we walk, the thought occurs to me that New York is a city dotted with landmarks of all kinds. Something clicks in a half-lighted corner of my mind, something pertaining to the future of a libertarian bookstore in New York City, something – Hey! Look at the bright colors in the windows of that shop across the street!

"We're back, everybody, with lots of glazed –"

"Shhh! Ayn Rand is on television."

Sure enough, NBC is featuring an hour-long interview with Ayn Rand, and a television set has been set up in the back of the store. People are watching; three tape recorders dutifully listen and remember.

But, look! Over there is the second guest of honor, Murray Rothbard. I *have* to meet *him.*

I move from the gathering by the television set, and soon I am shaking hands with Dr. Rothbard. He discusses the difference (as he sees it) between an objectivist and a Randian; he dissects the games Nixon's economists play; he explains why he *won't* run for President on the Libertarian Party ticket. (Too bad.)

More chatting. Gary Greenberg of N.Y.L.A.; Walter Block of radio station WBAI's "Libertarian Perspectives" program; Bill Stewart of *Outlook,* and many others. A whole galaxy of libertarians.

"Let's go out to dinner," suggests Dave to Emilia and me.

Dinner is in a Japanese restaurant.

"Try holding the chopsticks this way, Paul. Then maybe the food will actually get to your mouth."

"Thanks loads, Dave."

Emilia, Dave, and I talk about objectivist ethics and the concept of rights. My mind is as clear as it is unburdened; it's nice to be young. We talk, argue, laugh, and enjoy.

Time to separate. But we'll get together again, soon.

I boarded the train to Poughkeepsie, and looked over the things I had bought at the bookstore. The bookstore. What was it about the bookstore? I had seen so many libertarian superstars at the store. Perhaps – perhaps today had marked only the first of many such gatherings. Perhaps, in years to come, libertarians would gather at the Laissez Faire Bookstore spontaneously and often. That was the future I had glimpsed earlier, and it really excited me. Today, people look at a certain restaurant or tavern and recall how famous writers and artists used to frequent it. Someday – perhaps – they would point to number 208A Mercer Street and say, "That's where Rothbard, Tuccille, and the others who taught us to be free used to gather and talk."

It was a lovely thought, and far from impossible. So I mused on it, and felt glad, and young. ◻

## SELF

*Being happy with yourself*
*in your life,*
*Loving yourself*
*You love your life*
*and life*

*Loving your life*
*You love the lives you see*
*around you,*
*You love the feeling of life*
*inside you*
*and around you*

*Being happy with being yourself*
*and alive*
*You smile.*

**Margaret Kraft**

## TRANSIT OF VENUS

*You closed the door without a sound*
*You always did things gently*
*I waited for you one more day*
*And then my heart was still*
*I crumbled, then the sky was stars*
*And then the stars were embers.*
*Their soft and searing flame has fed*
*The laser of my will.*

*Where is she, whom I found*
*When light discovered shadow*
*And day discovered clouds*
*And air discovered rain,*
*Who in a breaking world*
*Was not defiled or broken*
*And in the armor of a dream*
*Had fought and killed the pain?*

*Ask me about her face*
*And listen to my silence*
*Tell you about her skin*
*Which could be dark or fair;*
*Her eyes, which could be sea or sky*
*Or anthracite or copper*
*Beneath the gold or ebony*
*Or rubies of her hair.*

*No;*
*Ask instead about the spring*
*Of burning drive behind her brow,*
*The tempered fingers of her hands*
*Caressing curves of mu and tau,*

*The light precision of her voice,*
*The anchored focus of her gaze,*
*The crystal river of her mind*
*Dancing with sparks of thought, in phase*

*With heartbeats like a metronome*
*Counting down running seconds till*
*As hammered purpose driving home*
*I find and grasp and pierce and fill*
*The velvet laser of her will*

**Lee Eisenstark**

# libertarian party correspondent: denver convention

**DENVER, COLORADO, JUNE 15-18, 1973**

It all began Wednesday night when Dave Nolan, chairman Pro Tem of the Libertarian Party, said, "Well. I think the libertarian position on issues has been pretty well codified."

He had set up a two bedroom suite at the Radisson Hotel (our convention center) to greet early arrivals and several delegates were present.

I immediately took issue with Dave's remark, pointing out the myriad of "schools" within the libertarian spectrum and resulting interpretations of "Thou shalt not initiate force."

As it turned out, the 100 or so conference representatives were a combination of students of Objectivism, praxiologists, anarcho-capitalists, variations of the above, a bircher or two, a few Christian libertarians, a Friedmanite, and a couple non-classified (Old right isolationist, I think.)

On Thursday morning the conference opened quietly in the Radisson's Vail Room with the open platform committee hearings. Discussion was orderly, a few speeches were given, and the revision of the platform took place step-by-step. It was a good atmosphere, and people enjoyed getting acquainted by means of exchanging ideas.

No immediate conclusion could be reached on the preamble to the party platform because of the differences of opinion as to what it should contain. Some thought that philosophy and ethics should be explicitly presented and others pointed out that we were a political party, not a philosophical organization. No style for wording found favor. The preamble was submitted to a subcommittee.

Work on the specific planks continued at a fairly even pace with lots of discussion and some argumentation.

The constitution, rules and by-laws committee upstairs worked at a rapid and smooth pace and, as it turned out, did an excellent job. The convention accepted their work with very little revision.

The preamble subcommittee could not agree and Thursday evening the preamble was handed back to the platform committee for further action. Dr. John Hospers was present and everyone was excited about the ideas he offered.

At this evening session the foreign policy section was revised—and badly. Contradictions were obvious, and the lack of study in this area by all concerned was evident. The crisis was in its seedling stage.

By Friday morning one thing had become clear. Everyone knew what they wanted to say, but there was very little agreement on how to say it. The pace of work increased to meet the 12:30 deadline for submitting the working copy of the platform to the printers.

The domestic section of the platform ranged from fair to excellent and revision would be minimal. The foreign policy section was a laughter and the Vietnam war plank was a joke. "We favor total and immediate withdrawal from Vietnam. We will offer sanctuary to all those who desire it."

I had visions of hundreds of boatloads of Vietnamese being dropped off in Los Angeles harbor, and heading straight for my luxury apartment in Long Beach to plant rice in my flower pots. The plank was quickly revised.

There is a saying that goes "a giraffe is a zebra created by a committee." Such was the preamble. It was ponderous, wordy, with semicolon upon comma and completely devoid of style. It said what we wanted it to say, but no one could understand it.

The 12:30 Friday deadline was met and the platform was printed up in the rough.

In the afternoon the constitution, rules, and by-laws session proceeded smoothly.

When we received the copies of the rough platform at the cocktail party in the evening, some serious discussion took place to determine a course of action for correcting the preamble. More work than partying took place at the party.

That night, thirteen versions of a preamble were submitted to the platform committee chairman, Pipp Boyles. We would pick five based on content and style and they would be presented to the convention for vote. It was the only way integrity of style could be kept.

Saturday morning the convention members agreed to the platform adoption procedure. Revision and adoption of the domestic section of the platform proceeded beautifully. There was some nit-picking and context dropping but chairman Dave Nolan provided some good leadership to get things moving when they were faltering.

Out of the five preambles presented to the conference, three – by Mark Fraizer, John Hospers, and Paul Hodgson – were chosen for the second round of votes. All three were excellent. Now it was a matter of style.

Another vote after more discussion. Mark Fraizer and John Hospers' versions left. More discussion – another vote. Hosper's version is selected. After very minor revisions, the Libertarian Party adopts a preamble. Hospers is given a standing ovation.

Willis E. Stone, author of the Liberty Amendment, addressed the convention. In a moving and eloquent speech, the old political warhorse saluted us and compared our gathering with the signers of the Declaration of Independence. He seemed to have a deep understanding and comprehension of what we were attempting to achieve – much more so than anyone else there. I hope he is right.

By late Saturday afternoon we were way behind schedule. After dinner, the domestic portion of the platform was finished. Overall, it is excellent.

About 10:00 PM we started on the foreign policy section. It went from bad to worse. Contradictions were flagrant, inconsistancy characterized several planks, and violent arguments raged among the delegates. At 1:30 AM we reached the Vietnam war plank and the contradictions were obvious to everyone. There were deep divisions between the delegates and the party was in danger of collapse. Dave Nolan addressed the delegates.

He pointed out the problems and left the

course of action up to us. We could strike the whole foreign policy section to save the party, we could take an inconsistent stand on issues and alienate a large block of delegates, or we could work it out. The crisis was at hand.

Frank Robinson, the parliamentarian, provided the solution. Submit the section to a committee of the whole for reconsideration. We did and voted to strike the whole foreign policy section and start all over.

For three hours 50 to 70 delegates determinedly ground out a foreign policy section. When we hit specific planks we could not agree on, they were struck from the platform. What remained was more general, but solid. We had done it. We were tired, but feeling good. Under the platform is a good wide base, but it needs to be worked on extensively. At the very least, we bought the time needed to work on it.

Sunday morning we adopted the platform. We planned to have additional planks submitted after the elections and nominations.

Dr. John Hospers of California and James Bryan of Oregon contested the presidential candidate nominations. Both were excellent choices. Dr. Hospers won the nomination by better than a two to one margin. Jim was later elected to the Executive Committee.

Tonie Nathan of Oregon and Diane Amsden of New Mexico competed for the running mate position. Tonie Nathan won and Diane was later elected as the National Secretary.

Susan Nolan of Colorado was elected as National Chairman and Ed Clark of New York became the Vice Chairman. Pipp Boyles of Colorado was elected Treasurer.

By late Sunday afternoon an executive committee had been elected. It was a good section of delegates.

Time ran out and people were scurrying to catch planes. No more platform planks could be submitted.

The convention officially ended after Diane Amsdens' eloquent speech honoring Ayn Rand. Miss Rand was accorded a standing ovation as a small tribute to her magnificent achievements which inspired us all in varying degrees.

Many thousands of words will have to be written about the convention to detail the personal experience, the emotional moments, the hundreds of important incidents, and the many legends that will spring up from future reminiscences. I hope other writers will enthusiastically accomplish this task.

Perhaps history will someday tell us of the significance of the convention. But for the present we have only forged the platform from which the intellectual missiles can be launched.

We have a chance to issue a call to arms to the world. Let's hope we do it properly.

**BILL SUSEL**
**State Chairman Pro-Tem,**
**California Libertarian Party.**

# 1972 platform of the libertarian party

### STATEMENT OF PRINCIPLES

Adopted unanimously by the delegates to the first national convention of the Libertarian Party, on June 17, 1972.

We, the members of the Libertarian Party, challenge the cult of the omnipotent state, and defend the rights of the individual.

We hold that each individual has the right to exercise sole dominion over his own life, and has the right to live his life in whatever manner he chooses, so long as he does not forcibly interfere with the equal right of others to live their lives in whatever manner they choose.

Governments throughout history have regularly operated on the opposite principle, that the State has the right to dispose of the lives of individuals and the fruits of their labor. Even within the United States, all political parties other than our own grant to government the right to regulate the life of the individual and seize the fruits of his labor without his consent.

We, on the contrary, deny the right of any government to do these things, and hold that the sole function of government is the protection of the rights of each individual: namely (1) the right to life – and accordingly we support laws prohibiting the initiation of physical force against others; (2) the right to liberty of speech and action – and accordingly we oppose all attempts by government to abridge the freedom of speech and press, as well as government censorship in any form; and (3) the right to property – and accordingly we oppose all government interference with private property, such as confiscation, nationalization, and eminent domain, and support laws which prohibit robbery, trespass, fraud and misrepresentation.

Since government has only one legitimate function, the protection of individual rights, we oppose all interference by government in the areas of voluntary and contractual relations among individuals. Men should not be forced to sacrifice their lives and property for the benefit of others. They should be left free by government to deal with one another as free traders on a free market; and the resultant economic system, the only one compatible with the protection of man's rights, is laissez-faire capitalism.

## INDIVIDUAL RIGHTS AND CIVIL ORDER

The protection of individual rights is the only proper purpose of government. No conflict exists between civil order and individual rights. Both concepts are based on the same fundamental principle: that no individual, group, or government may initiate force against any other individual, group, or government. Government is instituted to protect individual rights. Government is constitutionally limited so as to prevent the infringement of individual rights by the government itself.

1. **Crime.** We hold that no action which does not infringe the rights of others can properly be termed a crime. We favor the repeal of all laws creating "crimes without victims" now incorporated in Federal, state and local laws – such as laws on voluntary sexual relations, drug use, gambling, and attempted suicide. We support impartial and consistent enforcement of laws designed to protect individual rights – regardless of the motivation for which these laws may be violated.

2. **Due Process for Criminally Accused.** Until such time as a person is proved guilty of a crime, that person should be accorded all possible respect for his individual rights. We are thus opposed to reduction of present safeguards for the rights of the criminally accused. Specifically, we are opposed to preventive detention, so-called "no-knock laws" and all other similar measures which threaten existing rights. We further pledge to do all possible to give life to the Sixth Amendment's guarantee of a speedy trial, and shall work for appropriate legislation to this end. We support full restitution for all loss suffered by persons arrested, indicted, imprisoned, tried, or otherwise injured in the course of criminal proceedings against them which do not result in their conviction. We look ultimately to the voluntary funding of this restitution.

3. **Freedom of Speech and The Press.** We pledge to oppose all forms of censorship, whatever the medium involved. Recent events have demonstrated that the already precarious First Amendment rights of the broadcasting industry are becoming still more precarious. Regulation of broadcasting can no longer be tolerated. We shall support legislation to repeal the Federal Communications Act, and to provide for private ownership of broadcasting rights, thus giving broadcasting First Amendment parity with other communications media. We support repeal of pornography laws.

4. **Protection of Privacy.** Electronic and other covert government surveillance of citizens should be restricted to activity which can be shown beforehand, under high, clearly defined standards of probable cause, to be criminal and to present immediate and grave danger to other citizens. The National Census and other government compilations of data on citizens should be conducted on a strictly voluntary basis.

5. **The Right to Keep and Bear Arms.** In recognition of the fact that the individual is his own last source of self-defense, the authors of the Constitution guaranteed, in the Second Amendment, the right of the people to keep and bear arms. This reasoning remains valid today. We pledge to uphold that guarantee. We oppose compulsory arms registration.

6. **Volunteer Army.** We oppose the draft (Selective Service), believing that the use of force to require individuals to serve in the armed forces or anywhere else is a violation of their rights, and that a well-paid volunteer army is a more effective means of national defense than the involuntary servitude exemplified by the draft. We recommend a complete review and possible reform of the Uniform Code of Military Justice, to guarantee effective and equal protection of rights under the law to all members of the U.S. armed forces, and to promote thereby the morale, dignity, and sense of justice within the military which are indispensable to its efficient and effective operation. We further pledge to work for a declaration of unconditional amnesty for all who have been convicted of, or who now stand accused of, draft evasion and for all military deserters who were draftees.

7. **Property Rights.** We hold that property rights are individual rights and, as such, are entitled to the same respect and protection as all other individual rights. We further hold that the owner of property has the full right to control, use, dispose of, or in any manner enjoy his property without interference, until and unless the exercise of his control infringes the valid rights of others. We shall thus oppose restrictions upon the use of property which do not have as their sole end the protection of valid rights.

8. **Unions and Collective Bargaining.** We support the right of free men to voluntarily associate in, or to establish, labor unions. We support the concept that an employer may recognize a union as the collective bargaining agent of some or all of his employees. We oppose governmental interference in bargaining, such as compulsory arbitration or the obligation to bargain. We demand that the National Labor Relations Act be repealed. We recognize voluntary contracts between employers and labor unions as being legally and morally binding on the parties to such contracts.

## TRADE AND THE ECONOMY

Because each person has the right to offer his goods and services to others on the free market, and because government interference can only harm such free activity, we oppose all intervention by government into the area of economics. The only proper role of government in the economic realm is to protect property rights, adjudicate disputes and protect contracts, and provide a legal framework in which voluntary trade is protected. All efforts by government to redistribute wealth, or to control or manage trade, are improper in a free society.

1. **Money.** We favor the establishment of a sound money system. We thus support the private ownership of gold, and demand repeal of all legal tender laws.

2. **The Economy.** Government intervention in the economy imperils both the material prosperity and personal freedom of every American. We therefore support the following specific immediate reforms:

(a) reduction of both taxes and government spending;

(b) an end to deficit budgets;

(c) a halt to inflationary monetary policies, and elimination, with all deliberate speed, of the Federal Reserve System;

(d) the removal of all governmental impediments to free trade – including the repeal of the National Labor Relations Act, the Interstate Commerce Act, all antitrust laws, and the abolition of the Department of Agriculture, as the most pressing and critical impediments;

(e) and the repeal of all controls on wages, prices, rents, profits, production, and interest rates.

3. **Subsidies.** In order to achieve a free economy in which government victimizes no one for the benefit of anyone else, we oppose all government subsidies to business, labor, education, agriculture, science, the arts, or any other special interests. Those who have entered into these activities with promises of government subsidy will be forewarned by being given a cutoff date beyond which all government aid to their enterprise will be terminated. Relief or

exemption from involuntary taxation shall not be considered a subsidy.

4. **Tariffs and Quotas.** Like subsidies, tariffs and quotas serve only to give special treatment to favored interests and to diminish the welfare of other citizens. We therefore support abolition of all tariffs and quotas as well as the Tariff Commission and the Customs Court.

5. **Interim Reforms.** In order to effect our long-range goals, we recommend, among others, the following interim measures: the adoption of the Liberty Amendment, and provision for greater use of the referendum for reducing or repealing taxes.

6. **Long-Range Goals.** Since we believe that every man is entitled to keep the fruits of his labor, we are opposed to all government activity which consists of the forcible collection money or goods from citizens in violation of their individual rights. Specifically, we support the eventual repeal of all taxation. We support a system of voluntary fees for services rendered as a method for financing government in a free society.

## DOMESTIC ILLS

Government intervention in current problems, such as crime, pollution, defraud of consumers, health problems, overpopulation, decaying cities, and poverty, is properly limited to protection of individual rights. In those areas where individual rights or voluntary relations are not involved, we support an immediate reduction of government's present role, and ultimately, a total withdrawal of government intervention, together with the establishment of a legal framework in which private, voluntary solutions to these problems can be developed and implemented.

1. **Pollution.** We support the development of an objective system defining individual property rights to air and water. We hold that ambiguities in the area of these rights (e.g. concepts such as "public property") are a primary cause of our deteriorating environment. Whereas we maintain that no one has the right to violate the legitimate property rights of others by pollution, we shall strenuously oppose all attempts to transform the defense of such rights into any restriction of the efforts of individuals to advance technology, to expand production, or to use their property peacefully.

2. **Consumer Protection.** We shall support strong and effective laws against fraud and misrepresentation. We shall oppose, however, that present and prospective so-called "consumer protection" legislation which infringes upon voluntary trade.

3. **Overpopulation.** We support an end to all subsidies for childbearing built into our present laws, including all welfare plans and the provision of tax-supported services for children. We further support the repeal of all laws restricting voluntary birth control or voluntary termination of pregnancies during their first hundred days. We shall oppose all coercive measures to control population growth.

4. **Education.** We support the repeal of all compulsory education laws, and an end to government operation, regulation, and subsidy of schools. We call for an immediate end of compulsory busing.

5. **Poverty and Unemployment.** We support repeal of all laws which impede the ability of any person to find employment – including, but not limited to, minimum wage laws, so-called "protective" labor legislation for women and children, governmental restrictions on the establishment of private day-care centers, the National Labor Relations Act, and licensing requirements. We oppose all government welfare and relief projects and "aid to the poor" programs, inasmuch as they are not within the proper role of government, and do contribute to unemployment. All aid to the poor should come from private sources.

## FOREIGN POLICY

The principles which guide a legitimate government in its relationships with other governments are the same as those which guide relationships among individuals and relationships between individuals and governments. It must protect itself and its citizens against the initiation of force from other nations. While we recognize the existence of totalitarian governments, we do not recognize them as *legitimate* governments. We will grant them no moral sanction. We will not deal with them as if they were proper governments. To do so is to ignore the rights of their victims and rob those victims of the knowledge that we know they have been wronged.

### ECONOMIC

1. **Foreign Aid.** We support an end to the Federal foreign aid program.

2. **Ownership in Unclaimed Property.** We pledge to oppose recognition of claims by fiat, by nations or international bodies, of presently unclaimed property, such as the ocean floor and planetary bodies. We urge the development of objective standards for recognizing claims of ownership in such property.

3. **Currency Exchange Rates.** We pledge to oppose all governmental attempts to peg or regulate currency exchange rates. International trade can truly be free only when currency exchange rates reflect the free-market value of respective currencies.

### MILITARY

1. **Military Alliances.** The United States should abandon its attempts to act as policeman for the world, and should enter into alliances only with countries whose continued free existence is vital to the protection of the freedom of all American citizens. Under such an alliance, the United States may offer the protection of its nuclear umbrella, but our allies would provide their own conventional defense capabilities. We should in particular disengage from any present alliances which include despotic governments.

2. **Military Capability.** We shall support the maintenance of a sufficient military establishment to defend the United States against aggression. We should have a sufficient nuclear capacity to convince any potential aggressor that it cannot hope to survive a first strike against the United States. But, as our foreign commitments are reduced, and as our allies assume their share of the burden of providing a conventional war capability, we should be able to reduce the size of our conventional defense, and thus reduce the overall cost and size of our total defense establishment.

### DIPLOMATIC

1. **Diplomatic Recognition.** The United States should establish a scheme of recognition consistent with the principles of a free society, the primary principle being that, while individuals everywhere in the world have unalienable rights, governments which enslave individuals have no legitimacy whatsoever.

2. **Secession.** We shall support recognition of the right to secede. Political units or areas which do secede should be recognized by the United States as independent political entities where: (1) secession is supported by a majority within the political unit, (2) the majority does not attempt suppression of the dissenting minority, and (3) the government of the new entity is at least as compatible with human freedom as that from which it seceded.

3. **The United Nations.** We support withdrawal of the United States from the United Nations. We further support a Constitutional Amendment designed to prohibit the United States from entering into any treaty under which it relinquishes any portion of its sovereignty.

# editorial

MANUEL S. KLAUSNER

## REASON AND POLITICS

This month's issue gives considerable attention to the activities and ideas of the recently formed national libertarian party organization. In addition to printing Dr. Hosper's speech and Bill Susel's report on the Libertarian Party Convention, we are also reprinting in full the platform of the Libertarian Party. We have decided to give such extensive coverage to the Libertarian Party not because *REASON* has any intention of becoming an organ of the Libertarian Party, but because we believe that *REASON* has a responsibility, as the most widely read libertarian publication, to provide our readers with a full view of what the Libertarian Party consists of and stands for.

The question whether it is wise or desirable for libertarians to engage in political activity has been widely debated within libertarian intellectual circles. In our May 1972 issue, *REASON* carried Michael Holmes' article, "The Idea of a Libertarian Party," which argues in favor of libertarian political involvement. Other thoughtful libertarians have dissented from this view.

Today, the Libertarian Party exists and it is running candidates for various national and local offices. Not everyone will want to work for the Libertarian Party, nor support it, nor join it, nor sanction it intellectually. It is possible to argue that libertarian politics are only for some libertarians, with specific aims, goals and capabilities. Obviously, there is no obligation to either support or condemn the Libertarian Party.

The emergence of a national libertarian party raises essentially a tactical question – is the party's role likely to enhance the prospects of freedom for Americans, or will it tend to dilute other meaningful efforts, or perhaps be so ineffectual that its work will be counterproductive, bringing disrespect upon the philosophy of libertarianism. Although it may be argued that it is premature for a national libertarian party to emerge at this time, the fact is that such a party has emerged. It can prove to be a significant development in American politics, or it may amount to very little.

My own attitude to the formation of the Libertarian Party is to want to assist it to help it make a positive and meaningful contribution. I am delighted to have an option this November to cast my ballot for a presidental candidate I can be proud to vote for. I feel strongly that the alternatives of voting for either Nixon or McGovern are equally unacceptable. Clearly the two major parties and their standard bearers care nothing for the implementation of human rights – for the systematic liberation of human beings from the coercive shackles of government regulation and taxation. Human liberty is as far from the programs of today's political parties in the United States as it is from the programs of the rulers of Greece, the Soviet Union, Red China, South Africa, and North and South Vietnam.

The two major American political parties have simply ceased to offer to the electorate an alternative that is consistent with the fundamental American traditions of freedom and free enterprise. The idea that each individual should be allowed to pursue his life as he deems fit has given way in both major parties to an arbitary statist position.

On the one hand, Richard Nixon has perverted the two-party system by stealing the bulk of the programs of the Democrats and stifling the normal Republican opposition to interventionism. It seems incredible that the election of Nixon as a Republican in 1968 on a campaign of ending the war in Vietnam, eliminating conscription, opposing the imposition of wage price controls and devotion to free market principles, has led to one of the most rapid expansions of Federal control in any single Presidential term in American history. As a spokesman for what once was the Party of free enterprise Nixon has departed from the Republican tradition by pressing for Federal support for Lockheed, for the development of the SST and space shuttle, and by such other expanionist programs as wage price controls, Federal aid to local education, and a broad and costly family assistance program. Nixon is responsible for the incurring of the largest peacetime deficit in American history and is aiming at a direction calling for higher spending, higher deficits and higher taxes.

At the same time the Republican party has devolved into a party of statism, the Democrats are equally guilty of a rejection of the individual in favor of major expansion of the Federal bureaucracy and higher taxes. The typical Democratic approach towards solving economic and social problems is to pass law upon law without regard whether such laws in fact aggravate the problems sought to be corrected.

In short, at a time when each major Party puts up candidates who take consistent stands in favor of increased Government control and higher taxes, what is a voter to do if he wishes to vote for a principled candidate who stands in favor of personal freedom and limited Government?

It is this dilemma – the modern American voter's quandary – that impels me to support the Libertarian Party.

Therefore, when the Libertarian Party recently asked me to run as a Congressional candidate on their ticket, I decided to enter the race. I take pleasure in announcing to *REASON* readers that I am running as a write-in candidate in California's 27th Congressional District, against Republican Barry Goldwater, Jr.

I do not run for office with the expectation of being elected. I am running in the hope that my candidacy can help operate to restructure the American political dialogue, by focusing forthrightly on basic issues – without concern for the political acceptability or vote-getting appeal of the positions I take.

I look forward to the opportunity to debate Congressman Goldwater and to challenge him to reconcile his statist positions with his avowed belief in free enterprise and limited government. I look forward to the opportunity to expose to the electorate the existence of a rational, consistent political philosophy, so that one needn't feel he must be a "liberal" if he opposes American imperialism and government granting privileges to big business, or a "conservative" if he opposes the expansion of government welfarism. I hope my candidacy will allow voters to vote for a candidate because they believe in his platform and the principles he espouses, rather than having to settle for the lesser of two evils. I am proud to be a Libertarian Party candidate, and I hope that people can take pride in supporting my candidacy.

# book review

## Our Gang

REVIEWED BY NEAL MILLARD

Neal Millard is a Los Angeles lawyer. He received his J.D. degree from the University of Chicago Law school in June, 1972.

Take most noted contemporary writers out of the milieu in which they write, and you have famous authors writing best sellers—but of questionable literary quality (e.g., John Updike and his *COUPLES*). Take Philip Roth out of the milieu in which he usually writes, and you have the same Philip Roth, just in a different milieu—quality, style and approach remain the same.

Mr. Roth writes in what can be described as the "Jewish genre." Within this popular genre, Mr. Roth has his own style, characterized by broad, sweeping "blow-ups" of life and wild, improbable caricatures of people. Both *GOODBYE, COLUMBUS* and *PORTNOY'S COMPLAINT*, his heretofore two biggest sellers, exemplify the Roth approach and style. Both took a small bit of life and embellished upon it until it reached absurdity. People laughed with these works because within their absurdities, that small bit of life was always recognizable.

And so Mr. Roth continues with this approach in his latest book, *OUR GANG*. He leaves his "Jewish genre" for a more difficult area, that of political satire; but the change in no way impeded his ability to enlarge life and turn people into caricatures. *OUR GANG* is a political satire, but it is closer in style to Max Sennet than to Jonathan Swift—such is to be expected of a work by Philip Roth.

The book is based upon the last days of President Trick E. Dixon, and has a supporting cast which includes Vice-President What's-his-name; Attorney General Malicious. Secretary of Defense Lard; former President Charisma and his remarried wife Jackie Charisma Colossus; former President Lyin' B. Johnson; Senator Hubert Hollow; Governor George Wallow; New York Major John Lancelot; Reverend Billy Cupcake; F.B.I. Chief J. Edgar Heehaw; and newsman Harry Reasonable and Erect Severhead. Needless to say, subtlety is not the tour do force of Roth satire.

The story centers around an anti-abortion speech supposedly delivered by the "real" Nixon at San Clemente on April 3, 1971. Given the truly ludicrous contents of this speech, Roth must have had an easy time of converting it into low comedy and high satire. Laughs were meant to be evoked, and laughs do come.

Despite the laughs, the book does leave one with the lingering feeling that Roth aimed and hit a bit too low. As to this claim of foul, there is little contested. *ATLANTIC MONTHLY* (December 1971, p. 81) quotes Roth as saying that *OUR GANG* was meant to be in "bad taste." But then, Roth sees all great political satires as being in "bad taste." Attention is called to Jonathan Swift's "A Modest Proposal," a treatise in how to prepare Irish children in order to be edible.

Yet, Swift, in his attempt to create change, always maintained a distinguished "objectivity" in his prose. Roth has no such "objectivity" and his goals in writing the piece are obsured, if not, perhaps, non-existent. His dislike and distrust for Nixon as a man is embarrassingly evident throughout the book. There is no attempt to create a change in policy, economic, international or otherwise. There is just a broad contempt for Nixon the human being, which culminates in the chapter entitled, "The Assassination of Tricky." Obviously, Mr. Roth is not advocating the assassination of President Nixon, but to many people, this chapter will be distasteful, though, to be honest, to others, it will be quite amusing (Tricky is stuffed, nude, into a baggie full of water).

Philip Roth's "bad taste" in writing this book will undoubtedly be the subject of much debate, especially on the talk shows on which he is sure to appear in order to plug his book. But, bad taste aside, it is a funny book, worth its price when it comes out in paperback. And if the book falls short within Roth's own comparison with the works of Jonathan Swift, then it is at least equal to the political comics of Al Capp. ◻

OUR GANG. By Philip Roth. New York: Random House. 1971. Pp. 200. $6.95.


# LIBERTARIANISM

BY JOHN HOSPERS, PH.D., DIRECTOR, SCHOOL OF PHILOSOPHY
UNIVERSITY OF SOUTHERN CALIFORNIA

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# movies

REVIEWED BY
CHARLES BARR

• "Another Necktie Murder!" scream the headlines, as we settle down on the edge of our seat to watch **FRENZY**, the latest thriller from the old master, Alfred Hitchcock. This one is a chilling tale about a psychopath who rapes his victims, then strangles them with neckties. Thanks to Hitchcock's direction, the movie succeeds in grabbing the audience by the throat, too. The identity of the strangler is revealed early in the picture; the suspense lies in watching the police hunt the wrong man, surrounded by an ever-tightening web of circumstantial evidence, while the real murderer continues to claim victims. There is more nudity and graphic violence here than in previous Hitchock films, but neither is excessive by today's standards, Anthony Shaffer's screenplay, aside from revealing several fascinating plot twists, provides the audience with a generous sampling of witty, droll British humor. Most of the action takes place in London, so Hitchcock has assembled a fine cast of British stage actors for the principal roles. Especially good are Jon Finch as an unemployed bartender on a run of bad luck; Barry Foster as Finch's "best friend," who has a trick or two up his sleeve; Anna Massey as his girlfriend; and Billie Whitelaw as his unwilling helper who "doesn't want to get involved." A diverse group of eccentrics and stalwart police inspectors round out the picture nicely. *FRENZY* is one of Hitchcock's finest films, and I recommend it highly. Rated "R".

• Despite its freaky title, **DUCK, YOU SUCKER**, is a very unfreaky movie about two fictional "heroes" of the 1911 Mexican revolution, and how they achieved that distinction. Rod Steiger (who seemingly can play any kind of role) is thoroughly believable as a Mexican bandit who accidentally frees several hundred political prisoners while attempting to rob a bank, James Coburn gives a highly stylized performance, and achieves some depth, as Steiger's unlikely partner, a refugee Irish revolutionary who is fond of blowing things up (hence the movie's title). Some spectacular effects are achieved as Coburn's skills are employed in dynamiting a bank vault, a bridge, a stagecoach, a train and assorted military regiments. The whole affair is handled with a colorful, larger-than-life flair reminiscent of old-time swashbucklers

Unfortunately, the film also has a few strikes against it, chief of which is its excessive 2-hour, 18-minute length. Several times the plot slows down to a snail's pace, and the addition of several interminable slow-motion flashbacks doesn't help matters any. A good editor could cut half an hour from the film and improve its appeal considerably. The other major handicap is the gratuitous intrusion of bad taste. Remember the early westerns, in which the villians always wore black hats? In this movie, the villians are equally easy to spot; they are shown eating with their mouths open, or brushing their teeth, in glorious color and detailed close-up. Such scenes do not improve one's appetite for popcorn. The use of such devices evokes hostility, not only towards the villians, but also toward the director, Sergio Leone, for diminishing the appeal of an otherwise good movie with such cheap tricks. Rated "PG".

• Clint Eastwood fans may be somewhat disappointed with his latest movie, **JOE KIDD**. It's a western, and well-designed, but it lacks the heroic spirit of many of his recent films. Eastwood is portrayed as a village roughneck who becomes involved in a war between cattle barons and Mexican settlers, and winds up on the wrong side. He finally straightens things out (using some rather unorthodox methods), but not before a host of cliches and improbabilities have overwhelmed the plot. Eastwood's ambivalent characterization is only one of the film's weaknesses. The basic problem is that the movie fails to strike any emotional sparks. None of the characters appear to relate to one another except on the most superficial level. At times, the film seems to take on the flavor of an existentialist play. The stark, barren western landscape becomes a mere backdrop; the players enter, fulfill their assigned roles, and depart. Nowhere is there a glimpse of "normal life," some frame of reference from which to evaluate the proceedings. Clint Eastwood can do a superlative job of playing the self-contained loner, but only when the people around him are well enough defined to shed some light on his character and motives. In *JOE KIDD*, the supporting players themselves are too abstract and ill-defined to be of much assistance here. The result is a somewhat cold, somewhat detached western, with some satisfying moments, but without enough emotional content to get the audience involved. Rated. "PG".

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*If only you weren't so beautiful*
*I would be a soaring, lonely bird again,*
*but free —*

*Now I am a strange struggling creature,*
*earthbound,*
*my foot caught in the trap of*
*memories.*

**Emilia Nordtvedt**

*This morning*
*I am deaf and blind —*
*You fill my mind.*
*I walk by touch and guess*
*For all I see*
*is your loveliness.*
*My senses are giving me*
*what they recall,*
*Not the present at all.*

**Emilia Nordtvedt**

# trends

## NEW SETBACK FOR AUTO REGULATORS

A massive report and several auto test fiascos have thrown new roadblocks in the path of the automobile regulatory bureaucracies. The report is called "Cumulative Regulatory Effects on the Cost of Automotive Transportation" (RECAT), and was completed in February 1972 by an ad hoc committee of the White House Office of Science and Technology. Essentially, the report is a comprehensive cost-benefit study of the effects of Environmental Protection Agency and National Highway Traffic Safety Administration regulation. Its basic conclusion: that the safety and anti-pollution equipment required for 1976 models will not be worth the price—$873 over the cost of 1971 models ($350 for emission controls and $523 for safety equipment).

On pollution controls the report argues that the technology to meet the 1976 nitrogen oxide limits is not available at reasonable cost, and that the regulations should in any case not be imposed uniformly for all cars across the country. Rather, there should be one set of standards for cars sold in populated, polluted areas and another for rural areas, so that only those who need the stringent controls will have to pay for them.

It is on safety regulations that the report is most devastating, especially in deflating the overblown arguments for air bags (see "Is 'Inflation' Good For You?" *REASON*, March 1971). Not only would the benefits of air bags be outweighted by their high cost, but even at 99.9% reliability, the bags would *cause* as many deaths (due to inadvertent firings) as they would prevent during crashes. The automobile companies are hoping the RECAT report will bolster their legal case against being forced to install air bags, currently pending with the U.S. 6th Court of Appeals in Cincinnati.

Meanwhile, in two highly-publicized air bag demonstrations – one at Wayne State University's Biomechanics Center and the other at NHTSA's Arizona proving ground – the air bags failed to go off, thereby resulting in "death" for the dummies (which were wearing only lap belts, not shoulder belts).

SOURCES:

"A New Backlash Against New-Car Standards," *BUSINESS WEEK*, 25 March 1972.

"Air Bag Test Proves Big Embarassment," UPI, 24 May 1972.

## NEW VICTORIES FOR PROPERTY RIGHTS

Libertarian political theory holds that property rights are fundamental human rights, leftist rhetoric to the contrary notwithstanding. Yet it has never been entirely clear whether the U.S. legal system supported the libertarian or the statist viewpoint. In a little-noticed April decision, the U.S. Supreme Court upheld the libertarian position. Speaking for a 7–0 unanimous court, Justice Potter Stewart stated that the distinction between "personal liberties" and "property rights" was false. "Property does not have rights," wrote Stewart, "People have rights."

The Supreme Court case concerned Mrs. Dorothy Lynch, a New Haven hospital employee whose credit union account was garnished by the Household Finance Corporation. Mrs. Lynch's lawyers claimed the garnishment violated her right to a court hearing. Lower courts have in the past been making a distinction between such "personal liberties" as voting and free speech, and the right to property, and dismissing cases dealing with the latter. The Supreme Court unanimously held that "The right to enjoy property without unlawful deprivation, no less than the right to speak or the right to travel, is in truth a 'personal' right, whether the 'property' in question be a welfare check, a home, or a savings account. In fact, a fundamental interdependence exists between the personal right to liberty and the personal right to property. Neither could have any meaning without the other. That rights in property are basic civil rights has long been recognized"

In another significant case, the Court extended its endorsement of property rights. In a 5–4 decision the Court ruled that a shopping center is private property, even though its walkways are open to the public. The court ruled that an anti-war group had no right to distribute handbills on shopping center property without the owner's permission. Property does not lose its private character "merely because the public is generally invited to use it for designated purposes," said the majority opinion delivered by Justice Lewis F. Powell, Jr.

The case, which involved 50-acre Lloyd Center in Portland, Oregon, has immense implications for the future of shopping centers, private residential communities, industrial parks, office complexes, megastructures, and other forms of *proprietary communities* (see *REASON'S* special April 1972 issue on "Alternatives to Urban Decay"). These new forms of large-scale private enterprise can now proceed with the task of revitalizing our urban areas, with the vital distinction between *public* and *private* unblurred.

SOURCES:

"Supreme Court Upholds Property Rights," *ERGO* (Free Campus News Service), 3 May 1972.

Lynch vs. Household Finance Corp., 31 L. Ed. 2d 424 (1972).

"Distribution of Handbills in Shopping Centers Illegal," Associated Press, 22 June 1972.

Lloyd Corp vs. Tanner, 40 *U.S.L.W.* 4829 (U.S. June 22, 1972).

## FREE TRADE IN DRUGS

Two of the country's most innovative thinkers have recently published articles pointing out the absurdity of our present drug laws, and advocating legal sale and distribution of heroin and other hard drugs. The authors are Peter F. Drucker, noted management consultant and author of *THE AGE OF DISCONTINUITY*, and Dr. Thomas Szasz, author of numerous books on mental health and civil liberties.

In his *SATURDAY REVIEW* article, Drucker analyzes the problems confronting out cities and concludes that the single greatest threat is our present narcotics laws, which "make the 99 per cent of us who are free from addiction the main victims of this monstrous plague." As Drucker points out, it is only the laws against narcotics that drives the price to such high levels that a career of theft is required for all but the wealthiest addict. As he points out, "every 'victory' in the 'war against narcotics' increases the profitability of this trade and soon creates new pushers, more addicts, and bigger profits." With so much money to be made so easily, "creating new addicts becomes irresistably attractive," to provide "significant revenue and profit producers for older addicts."

Drucker takes a characteristically no-nonsense approach to the solution, first noting that the basic problem is *not* curing the addict; rather, it is protecting the healthy. And to do this,"there is only one way out: Take the profit out of hard drugs. And this means making them available to the addict free or at cost."

Szasz takes a very different tack in his article for *HARPER'S.* He argues that despite the fact that most discussions of drug abuse are framed in medical, pharmacalogical, or psychiatric terms, the *judgments* that people make regarding drug use are *moral* judgments. Usually, the moral aspect is underplayed by those favoring drug crackdowns, who then resort to exaggeration of the drugs' true pharmacological properties as a scare tactic. Szasz cites impressive evidence to the effect that opiates per se are nowhere near as harmful as the drug-law supporters claim, based on pre-Harrison Act studies of addicts who lived relatively normal, productive lives.

Szasz then squarely confronts the moral argument, stating that "*regardless* of their danger, all drugs should be 'legalized'... I favor free trade in drugs for the same reason the Founding Fathers favored free trade in ideas. In an open society it is none of the government's business what idea a man puts into his mind; likewise, it should be none of the government's business what drug he puts into his body." Quoting John Stuart Mill, Szasz further argues for the general right of self-medication, including the removal of prescription requirements on drugs. He rightly points out that our society allows the relatively unrestricted purchase of other dangerous articles (like shotguns) without any form of prior restraint, "not because we believe that guns are safe, but because we believe even more strongly that civil liberties are precious." In the area of drug abuse, Szasz maintains, sooner or later this "basic moral dilemma" must be faced.

SOURCES:

"How to Take the Profits Out of Hard Drugs," Peter F. Drucker, *SATURDAY REVIEW*, 13 May 1972, pp. 26-27.

"The Ethics of Addiction," Thomas S. Szasz, *HARPER'S MAGAZINE,* April 1972, pp. 74-79.

## IMPORT QUOTAS: A MIXED BAG

Spring and summer revealed an odd assortment of Administration actions regarding import quotas. Although Nixon three years ago dismissed the recommendations of the Oil Import Task Force (headed by George Shultz) to abolish the quotas, he gave in a little in May of this year. After the six New England governors and Consumers Union filed suite against the quotas this spring, Nixon hastily signed a proclamation increasing the amount of foreign oil allowed, by about 15%, for the remainder of 1972. The basic structure of import quotas and their pre-proclamation limits, of course, remain on the books for the future.

Meanwhile, in response to the pressure of rising food prices, the Administration made much ado about its June action lifting meat import quotas for the remainder of the year. Less noticed in all the shouting was its action two weeks earlier *imposing* import quotas on low-priced cheeses. Swiss, Emmenthaler, Gruyere, and a variety of other cheeses will be subject to poundage quotas if their price falls below 62 cents a pound (the previous limit, from 1968, was 47 cents a pound). The White House was quick to point out that fancy specialized cheeses were not involved in the order, which was limited to cheeses purchased by hard-pressed lower and middle-income groups. The prices of these cheeses can now rise without foreign competition, much to the delight of dairy farmers during this election year.

SOURCES:

"Courting a New Import Policy," *BUSINESS WEEK,* 22 April 1972, p. 44.

"Oil: Up the Quotas," *TIME,* 22 May 1972.

"Nixon Imposes Quotas on Low-priced Cheeses," UPI, 4 June 1972.

## REPLACING GOVERNMENT

Two communities, one in California and one in New York, have taken drastic steps to cope with the escalating cost of government. South San Francisco, a medium-size suburb on the San Francisco peninsula, has contracted out a major portion of its governmental functions to a private firm. Prattsburg, New York, a small upstate village, has dissolved its government entirely, turning over needed service responsibilities to the surrounding town.

In South San Francisco, the Los Angeles-based consulting firm VTN Corp. began operations on 6 June 1972. The firm is running the city's Department of Ecological Development, a new superagency which encompasses the functions of engineering, streets, sewers, parks, and the marina. VTN is operating under a one-year, renewable contract with a 30-day cancellation clause.

It has full authority to run the defined city operations, *including the power to hire and fire*. (Thus far VTN's reorganization has resulted in six city engineers, including the Public Works Director, losing their jobs, to eliminate duplication and increase efficiency.) Mayor Frank Mammini says VTN is expected to bring in savings of $100,000 during its first year under contract. "We're trying to do what should have been done years ago," he added. "If cities today can't understand that they can't afford bureaucracy and inefficiency any more, then they are going to go down the drain."

Prattsburg did just that. In order to cut taxes, the village residents voted to abolish their government, eliminating the mayor, village clerk, and four councilmen. Necessary services, such as police and street maintenance, will be provided by the surrounding town, at an average per capita tax saving of $75 per year.

SOURCES:

"City Operations Run by a Firm." *SAN FRANCISCO CHRONICLE,* 7 June 1972.

"Dissolving the Government," *WALL STREET JOURNAL*, 29 March 1972.

See also: "Contracts: Key to Urban Rebirth" by Robert Poole, and "Rent-a-Sheriff: Market Control of Public Services" by James Q. Wilson, *REASON*, April 1972.

### FREEDOM FOR FREE SCHOOLS

In what is almost certain to be a landmark case, the Santa Fe (New Mexico) Community School and the Cedar Grove Cooperative School have filed a class-action suit seeking to end State regulation of nonpublic schools in New Mexico. The action grows out of a 1971 decision by the State Board of Education disapproving the secondary education program of the Santa Fe Community School (SFCS). New Mexico law subjects private schools to rigid requirements on teacher certification, number and type of courses, minimum enrollment, and standardized testing of students; in addition, each new private school must obtain a State license prior to opening.

SFCS and its sister school have been joined in their suit against the State by the Harvard Center for Law and Education which is providing legal counsel, as is the local ACLU chapter. The group contends that the State's actions are unconstitutional on several grounds. According to Ed Nagel of SFSC, the State is violating individual rights protected by both the 1st and 14th Amendments to the U.S. Constitution:

"By attempting to mandate a single, State-approved and controlled educational scheme for every citizen in New Mexico, the State Board of Education is ignoring the individual's right to *choose* values for himself and his children other than those of his neighbors, thereby threatening his freedoms of speech, association, and religion." In addition, Nagel points out that the State Board's procedural arbitrariness constitutes lack of "due process," and also that since the Board frequently waives its regulations for conventional prep schools, it actions regarding the free schools violate the "equal protection" clause.

Further, this suit by implication challenges the State's compulsory attendance law. Nagel notes that the New Mexico constitution restricts *public* educational agencies to the determination of "public school policy" and the "control, management, and direction of all *public* schools." He adds that "by establishing regulatory provisions for nonpublic schools, the State is attempting unlawfully to extend its public power to include jurisdiction of *nonpublic* educational activities. The State Board of Education currently claims this authority on the basis of the wording in the Compulsory School Attendance Law. To the extent that this law effects a public monopoly, *compulsory attendance is being challenged in this suit as unconstitutional."*

SFSC and its suit against the State also has the support of educational reformer John Holt (see "Deschooling Society," *REASON*, April-May 1971). In his latest book, *FREEDOM AND BEYOND*, Holt extends his earlier call for separation of State and education and urges an end to compulsory education laws as the first step.

**SOURCES:**

"Slingshot Politics: The Santa Fe Community Schools vs. the State of New Mexico," *NEW SCHOOLS EXCHANGE NEWSLETTER,* Issue No. 67, 1 Dec. 1971.

"The Santa Fe Community School," *Ibid.,* Issue No. 74/75, 15 Mar. 1 Apr. 1972.

"Too Much Schooling?" *TIME*, 19 June 1972, p. 44.

# publisher's notes

• **SPECIAL BONUS FOR SUBSCRIBERS:** This month's issue contains 48 pages, and is the largest issue REASON has published in its history. The newsstand price is $1.25, the same as REASON's highly acclaimed Special Issue of October 1971, which contained REASON's exclusive interview with Nathaniel Branden and Hans Sennholz's critique of Chicago Monetary Theory. Subscribers receive REASON's Special Issues at no extra charge.

• **RESULTS OF READERS' SURVEY:** Over 300 subscribers responded to REASON's reader questionnaire, carried in REASON's May 1972 issue. Results are being tabulated and will be announced next month.

• **FILMING OF ATLAS SHRUGGED—STATUS REPORT:** Despite public announcements that Ayn Rand's novel *ATLAS SHRUGGED* is to be filmed for release in 1973, it appears that Ms. Rand and producer Al Ruddy are not in complete agreement on terms, and the deal may not yet be final. According to an item in *THE HOLLYWOOD REPORTER,* Ruddy conferred with Ms. Rand in New York before flying to Europe to promote his movie, *THE GODFATHER.*

It has been reported elsewhere that Ms. Rand had given up the rights to final script approval for the film version of *ATLAS SHRUGGED.* However, Ms. Rand herself stated (in the June 5 issue of the *AYN RAND LETTER)* that she will retain approval of the final script.

*REASON* will keep its readers advised of developments as soon as further information is obtained.

• **DECRIMINALIZE MARIJUANA:** The California Marijuana Initiative (CMI) has qualified for the November ballot in California, the result of petition-circulation activity by 20,000 volunteers. Passage of the initiative would remove criminal penalties for personal use or possession of marijuana. Adopting the concept of "free backyard marijuana," the right to grow marijuana for personal use would be allowed, although sale or other commercial use of marijuana would remain illegal. Funds needed to mount an effective statewide campaign are being sought by CMI, 2221 Filbert St., San Francisco, Calif. 94123.

• **CONFERENCE ON VICTIMLESS CRIME LAWS:** Nathaniel Branden and Dr. Thomas Szasz are scheduled to participate with other prominent scholars in a two-day conference on victimless crimes to be held at the University of Southern California on 18-19 February 1973. The event is sponsored by the California Libertarian Alliance and the Action Coalition for Freedom. For further information, write CLA, 3710½ Grand Ave., Los Angeles, Calif. 90006.

• **CLASS ON LIBERTARIANISM:** John Taylor is conducting a class on libertarianism at the Free University of San Diego. The class meets in San Diego on Wednesday nights at 7:30 p.m. For details, contact John Taylor at (714)728-2773 or call (714)454-6038.

# letters

## SOLERI'S ARCHOLOGY: A PUT-ON

I completely disagree with Dick Pierce's enthusiastic review of *ARCHOLOGY: THE CITY IN THE IMAGE OF MAN* in the April issue of *REASON*. Soleri's philosophy on urban design and architechture is medieval and his designs are very superficial. *ARCHOLOGY* is a well rendered child's daydream.

I cannot understand how reviewer Pierce can endorse the philosophy Soleri attempts to construct in the first part of the book. I trudged through the whole thing and felt like I was listening to a swami, not Bucky Fuller's intellectual heir, as Pierce calls Soleri. The philosophy, an attempt to defend "miniturization" (really compaction, in Soleri's case), is a fantasy constructed of half formed, obscure, self-evident truths (some of which are quoted in *REASON*) and pompous, wholly unjustifiable declarations. Statements like the following continually turned me off in the first part of the book:

> If the knack for the feasible does not show the powdery nature of the practical it is because it can only reach the periphery of the real, which is where, at best, the practical stands! (pg. 7)

There are certain human and environmental values that Soleri rejects. Among these are spaciousness, privacy, economy, agility and rationality. It is too bad because the Twentieth Century is the first time in history when designs have reflected movement through space as an exciting experience, harmony with nature while living within her and the right to privacy and isolation.

If buildings were made out of India Ink, Soleri's structures would have a little credence. Unfortunately, it appears that he didn't learn anything during his year with Wright. Wright said "form and function are one." Now Soleri says that form has no relationship to anything, and functions exist barely defined. Louis Sullivan, who started it all with "form follows function" must be spinning in his grave. Page after page in part two is replete with highly seductive, mind-blowing visions of cities sailing the seas, and cities floating in space. These gigantic concepts lose their validity upon closer study. There is no way cities can be so superficially arranged that all the promenades are here, all the ugly factories there, and all the dwellings there. I would respect Soleri much more if he would somewhere in the book attempt to justify his designs. I don't believe his designs work, and I am suspicious after visiting his headquarters in Paradise Valley Arizona, a number of times, that the root of his forms is ceramics, of all things. Can he justify the forms of his structures? No. Nowhere does he even hint that they may be the result of any structural or material analysis. What he has done is draw a sketch of some ceramic form he likes and assumed that technology and construction will come up with some way to build the thing. His sketches on the bottoms of the pages give him away. There is his design process.

Soleri and Arcology are one of the most successful put-ons of the seventies. The only value I can see in Arcology is as an investment in an art book.

**Jim Shay**
***Los Angeles, California***

## NO ON ABORTION

I took particular note of the item "Progress Report: Victimless Crimes" in the section entitled Trends in the June-July issue of *REASON*. The comments concerning abortion laws and their recent changes which allow the killing of unborn children and the praising of this action as being "libertarian," vividly points out the tragically irrational position on this subject held by many individuals who profess to seek a free society.

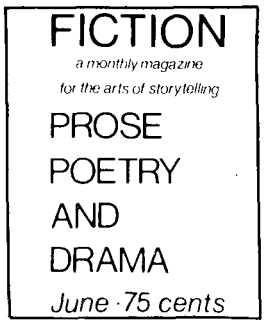
Undoubtedly, a major reason for the prevalence of a pro-abortion view among Objectivists and others stems from the writings of Ayn Rand (an individual whom I consider to be the greatest intellectual of this century). She has expressed a very strong pro-abortion stand – a position which she holds as a result of a lack of scientific knowledge concerning the process of reproduction and the early stages of human life. (Ayn Rand recently stated on the program "Speaking Freely", "I am not a scientist.")

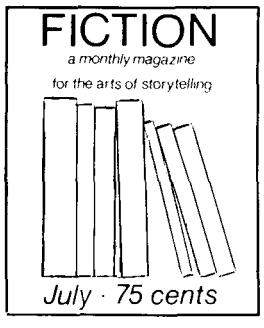
Ayn Rand has correctly indicated the essential point which must be considered in regards to abortion – the point of rights. In her article, "Of Living Death," she states: "Rights do not pertain to a potential, only to an *actual* being." She then contends that "An embryo *has no rights.*" If one could avoid the scientific fact that a human embryo is an *actual* human being in the first stage of its life, then one could hold a pro-abortion position. But since it is a well known, and fully proven fact that an actual new human life begins at the time of the fertilization of the egg, at conception, then one must recognize that rights also belong to this *actual* human embryo, this *actual* being.

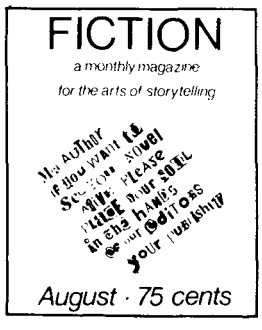
In an article entitled "Abortion: A Metaphysical Approach" (soon to be published in *THE FREEMAN*) I took note of Ayn Rand's position on rights contained in her brilliant article "Man's *Rights.*" *She wrote: "There are no* 'rights' of special groups, there are no 'rights of farmers, of workers, of businessmen, of employees, of employers, of the old, of the young, of the unborn.' There are only *The Rights of Man* – rights possessed by every individual man and by all men as individuals." One of the special groups listed is the *unborn,* a group of *actual* human beings contained in her list of other groups of *actual* human beings. She may today regret having listed the unborn in her statement, but that does not at all alter the correctness of what she has said.

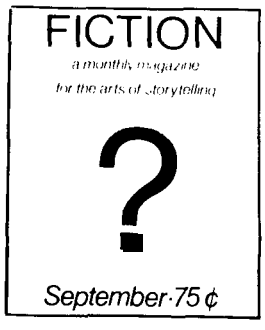
For a more detailed discussion of the subject of abortion I would ask your readers to look for my article in an upcoming issue of *THE FREEMAN.* I ended the article by saying: "The unborn child is a new individual having the same rights as all other individuals, and, as with all humans, regardless of their age or station in life, possesses the most basic of all rights, the right without which all other rights would cease to exist, the right to life."

**Thomas Johnson**
**Associate Professor of Biology**
**Mary Washington College**
**Fredericksburg, Virginia**

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*PERSONAL*

**LEE EISENSTARK** is the pen name of a 26 year old cyberneticist, currently a doctoral candidate at a West Coast University. If you are the woman described in *TRANSIT OF VENUS*, please write care of *REASON*, Box LE.

**NINTH EQUITARIAN CONFERENCE,** December 16 - 17, 1972 near Iowa City, Iowa. Conference theme: Causality and Political Change. For additional information write Equitarian Associates, Box 948g, Iowa City, IA 52240.

**SAN JOSE,CAL. MAN,** 31, computer programmer, desires romantic relationship with woman *REASON* reader in Bay area. Please write box ES in care of *REASON*.

**TO THE WOMAN OF REASON** and self esteem: I have always been without you since you're one of the rational minority and therefore so difficult to find. I have experienced frustrated lust for years. Contact me as soon as possible. Box RR, c/o *REASON*.

**OBJECTIVIST-LIBERTARIAN** – Rationalist seeks contact with like minded. P.O. Box 9462, Honolulu, HA 96820.

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**ONE BOOK** puts the libertarian movement within reach—the *LIBERTARIAN HANDBOOK 1972*. Over 100 pages long, offset printed, this guide describes and gives addresses for groups, periodicals, and spokespeople, provides a thorough listing of libertarian books, discusses issues and strategy, and offers a number of essays by authors such as Baker, Tuccille, and Holmes. If you're involved with libertarianism, this is the one book you should have. Order today! $2. postpaid from Avenue Victor Hugo, Box 322r, Manchester, Vermont 05254.

**LAISSEZ-FAIRE BOOKSTORE** – more than 800 books in the **libertarian** and **romantic** traditions. Plus magazines, pamphlets, posters, buttons and more. Browsers welcome. *Laissez-Faire Bookstore,* 208A Mercer St. at Bleecker, New York, NY 10012.

**OBJECTIVIST COMPOSER** Kenneth LaFave will release LP recording of selected works this fall. Style generally neo-romantic, though highly contrapuntal. For overall esthetic attitude see his articles in recent issues of *INDIVIDUALIST* and *OUTLOOK*. Price: 35 minutes for $5, postage included. If interested, send **self addressed, stamped envelope,**(no money yet) to Kenneth LaFave, 2443 N. Columbus, Tucson, AZ 85712, before September 30.

*PUBLICATIONS*

**ARE YOU AN INDIVIDUALIST?** Are you tired of collective movementism? *LIBERTARIAN CONNECTION,* in its fourth year, is a unique open forum information exchange. Sample 25 cents. Dawn Enterprises, Box 90913, Dept. R-3, Los Angeles, CA 90009.

**ESCAPE!** Now you can learn how to escape oppression and live free. In *VONU LIFE,* nomads, troglodytes and other "invisible" people explain how they solve the everyday problems of living free. Three issues, only $1, can put self-liberation within your reach. Box 458RB, Cave Junction, OR 97523.

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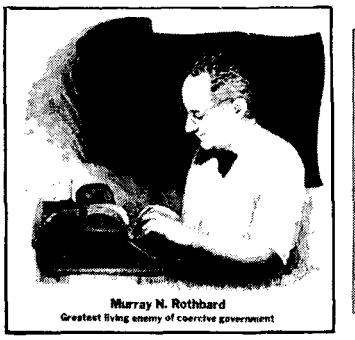
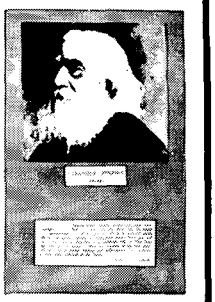
# Now you can choose from

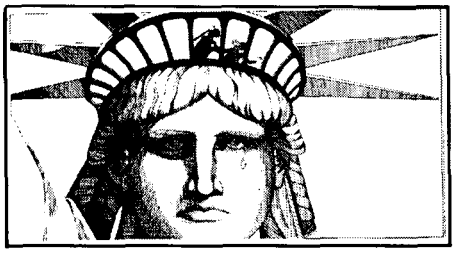
# 8 LIBERTARIAN POSTERS




**P21. MURRAY N. ROTHBARD.** Exclusive poster of this libertarian firebrand, Austrian School Economist and author of POWER & MARKET; MAN, ECONOMY & STATE and AMERICA'S GREAT DEPRESSION. Deanne Hollinger artist. Black & white. 22" x 24". **Only $2.95**



**P3. LYSANDER SPOONER.** Pioneering American anarchist. Portrait plus powerful quotation from NO TREASON. Brillisnt lavender, blue, hot pink and black. 13" x 21". **Only $1.98**



**P8. "WITH LIBERTY & JUSTICE FOR ALL."** Cop beats a youth while Liberty weeps. This poster by Deanne Hollinger dramatizes the contrast between our government's words and its actions. Stark black and white 30" x 16". **Only $2.48**

**G9. "WITH LIBERTY & JUSTICE FOR ALL" Greeting Cards.** Design similar to poster. Black and white. 3½" x 7½". **15 for only $2.95**

# DOUBLE Your Money Back!

**I know it's difficult for you to see, from a few tiny photographs, just how fine these posters really are. So I'm making it easy for you to see the actual posters for yourself—AT MY RISK! Here's how:**

Simply circle the items you believe you'll want on the coupon and send it in with your check. We'll ship your posters and greeting cards the same day we receive your order. Then examine them at your leisure. Display them at home or work for up to 3 weeks. If, for any reason, you aren't fully satisfied with any item, just return it.

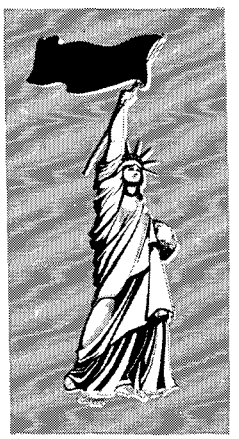
We will promptly send you **DOUBLE your money back** on any one poster or package of greeting cards. All additional merchandise is **fully guaranteed** for your cost and return postage.

So order TODAY. Mail the coupon with your check or money order to the Same Day Poster Service, Box 1000 East Station, Yonkers, N.Y. 10704.

Byron Callas

Byron Callas, President

**P13. HENRY DAVID THOREAU.** Famous 19th Century libertarian, nature-lover and tax-resistor. Author of WALDEN and CIVIL DISOBEDIENCE. Poster has 2 stirring libertarian quotations from WALDEN. This unique design by Deanne Hollinger is printed in soft browns and greens. 8¾" x 12¾". **Only $1.50**



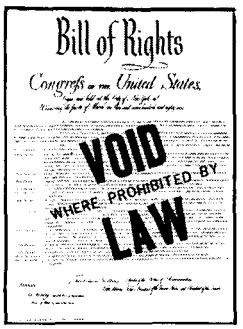
**P16. TRIUMPHANT LIBERTY.** The Statue of Liberty breaks her chains and strides off triumphantly raising the true standard of freedom —the black flag of anarchy. Dramatic black and white by Deanne Hollinger. 13" x 24" **Only $2.48**

**G14. HENRY DAVID THOREAU Greeting Cards.** Same design as poster. Brown on ivory. Use as Note Cards too. 4" x 9". **15 for only $2.95**

**G17. TRIUMPHANT LIBERTY Greeting Card.** Design similar to poster. Black & white. 3½" x 9". **15 for only $2.95**

**P4. TOMORROW IS THE 1ST DAY OF THE REST OF YOUR LIFE.** Inspiring poster set off by giant photo of moon. Red, blue, olive and gold. 21¾" x 27½". **Only $2.48**

**P22. OLD FASHIONED QUAKER OAFS.** Laugh along AT Nixon. Fight bullshit with oat meal! Black & white. 21¾" x 27½". **Only $1.50**




**P18. VOID WHERE PROHIBITED BY LAW.** The "Bill of Rights" stamped with "Void where prohibited by Law." Bright red stamped over black type. 21" x 29". **Only $1.98**

Byron Callas, President, Same Day Poster Service
Box 1000 East Station, Yonkers, N.Y. 10704

R-13

Dear Mr. Callas: Please send me the items circled below. I understand that if, after a 3-week examination, I am not fully satisfied, I may return any one poster or package of greeting cards for DOUBLE my money back and all other merchandise for my cost and return postage.

Enclosed please find my check for $_____.

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| P3 | P8 | P13 | P16 | P18 | P22 |
| P4 | G9 | G14 | G17 | P21 | |

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☐ Combo offer: 4 posters by Deanne Hollinger—P8, P13, P16, P21—for only $7.95. You save $1.45.

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# SAY NO TO BOTH

The two major parties in this country differ only in the brand of statism they offer. Leviathan Left and Repressive Right – take your choice.

There is a way for those of us who loathe statism in all forms to make our voice heard at the polls, however, and if we can get 100,000 or 1,000,000 people to join with us in repudiating **both** would-be Emperors, they may get the message, at least to the extent that they'll slow down a bit in their drive towards Absolute Statism.

They won't listen to reason; the only way we can get to them is by mobilizing a massive protest vote. (Staying home won't help; there's nothing the super-statists would like better than to have libertarians abandon the fight.)

Fortunately, we have a pair of candidates that libertarians can enthusiastically support, in good conscience. For President, Dr. John Hospers, distinguished author of **Libertarianism**, now considered **the** authoritative text on its subject. And for Vice-President, Mrs. Tonie Nathan, an articulate Objectivist with extensive experience in public communications.

But in order to enable Dr. Hospers and Mrs. Nathan to campaign effectively, we'll need money – lots of it. Money to pay their travel expenses, and to pay for advertising.

Your help is needed. If you love your life, now is the time to show it. Send whatever you can afford – $5 or $500 – to the Libertarian Party Campaign Fund, 1415 N. El Paso, Colorado Springs, Colorado 80906. Everyone who contributes will receive a campaign kit, to help spread the word. Those who contribute $50 or more will receive a personally autographed hardcover edition of **Libertarianism**.

If you want to do more than just contribute financially, you can join the Libertarian Party, as an active member. Dues are $6 for regular membership, $12 for sustaining membership, and $4 for student membership . . . and include a subscription to the Party's monthly **Newsletter**. Membership dues should be sent to the LP's national headquarters, 7748 Lowell Blvd., Westminster, Colorado 80030.

And whatever you do, be sure to go to the polls this November, and cast your vote for John Hospers and Tonie Nathan – even if you have to do it by write-in.

## BREAK FREE FROM BIG BROTHER.

## VOTE LIBERTARIAN.